

## COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT  
NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: Fitzgerald Marine Preserve Improvement Project, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2010-00093

OWNER/APPLICANT: County of San Mateo/San Mateo County Parks and Recreation  
Department

ASSESSOR'S PARCEL NOS.: 037-103-110, 037-111-060, 037-200-130, and 037-101-250

PROJECT LOCATION: Fitzgerald Marine Preserve, Moss Beach

PROJECT DESCRIPTION: The applicant is proposing to make public access improvements to the Preserve. This improvement plan is comprised of two components:

1. A beach access improvement project starting at the intersection of Nevada and North Lake Streets and ending at an existing bluff overlook at the northwest edge of Fitzgerald Marine Preserve. For this component, the following actions are proposed (see attached project plans):

Removal of:

- Existing signage along the existing dirt path.
- Bollards at the entrance to the dirt path.
- Wooden split rail fencing along the dirt path and an unofficial footpath spur.
- A trash receptacle, wood platform, bike rack, and bench.
- Roto-till both the footpath and unofficial spur.
- Existing log stairs on south side of beach overlook and adjacent large boulder riprap.

Construction of:

- A 0.25-mile long, 10.5-foot wide, ADA compliant asphalt path, with 3-foot wide aggregate shoulders on either side.
- ADA compliant fence with handrail on either side of new trail.
- A retaining wall, 1-6 feet tall as needed, along northwest side of the trail.
- A main overlook, 35 ft. long by 40 ft. wide, with reinforced concrete grade beam surrounding it and a rock slope protection system composed of three layers of rocks at a 1.5 to 1 slope.

- A staircase on the south side of the overlook leading to the beach and a seasonal bridge at the base of the staircase which will cross San Vicente Creek.
  - A 30-ft. by 20-ft. auxiliary overlook, approximately half way down the trail, on the creek side.
  - Removable bollards, trash receptacle, benches, telescopes, and drainage improvements.
2. Improvements to an existing un-named trail for inclusion as part of the California Coastal Trail system. This area of work will extend from the Preserve boundary at Cypress Avenue to a point directly across from the Preserve parking lot on North Lake Street.

Removal of:

- An existing pedestrian bridge across San Vicente Creek.

Construction of:

- An ADA compliant trail (the Coastal Trail) in the approximate location of an existing trail. The proposed trail will have a 10-foot wide asphalt surface with 2-foot wide aggregate shoulders on either side of the trail.
- A 60-ft. long by 12-ft. wide prefabricated fiberglass clear span bridge approximately 30 feet upstream of the removed bridge. The bridge is sized to allow the 100-year flood to flow under it, and the 100-year flood occurs at 33.6 feet above mean sea level.
- Bridge abutments, which are 12 feet wide, spanning the width of the bridge. The abutments have wing walls, which extend approximately 10 feet. The wing walls on the north side of the bridge are at 45-degree angles from either side of the abutment base and the wing walls on the south side of the bridge are at 90-degree angles extending behind the bridge. The abutments are 9.5 feet in height and are mostly buried underground. A 3.5-inch diameter foundation pipe pile extends from the bottom of the abutments to a minimum of 37 feet in depth and will be embedded 10 feet into bedrock.
- Two curb-cut ramps along the sidewalk off of North Lake Street near the trail entrance to allow wheelchair access to the trail.
- Removable bollards at either end of the trail, and fixed bollards and a signpost will also be installed at the south entrance of the trail near Cypress Avenue.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Planning and Building Department has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.

4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
  - a. Create impacts which have the potential to degrade the quality of the environment.
  - b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
  - c. Create impacts for a project which are individually limited, but cumulatively considerable.
  - d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

**Mitigation Measures are included in the Project Narrative and Answers to Questions Section.**

RESPONSIBLE AGENCY CONSULTATION

INITIAL STUDY

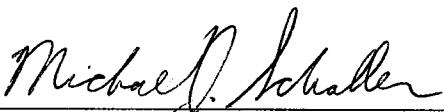
The San Mateo County Planning and Building Department has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD: July 1, 2010 to July 30, 2010

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., July 30, 2010.**

CONTACT PERSON

Michael J. Schaller  
Project Planner, 650/363-1849

  
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Michael J. Schaller, Project Planner

County of San Mateo  
Planning and Building Department

**INITIAL STUDY**  
**ENVIRONMENTAL EVALUATION CHECKLIST**  
(To Be Completed by Planning Department)

1. Project Title: *Fitzgerald Marine Preserve Improvement Project*
2. Lead Agency Name and Address: San Mateo County Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063
3. Contact Person and Phone Number: Mike Schaller, Senior Planner, 650/363-1849
4. Project Location: Fitzgerald Marine Preserve, Moss Beach
5. Assessor's Parcel Numbers: 037-103-110, 037-111-060, 037-200-130, and 037-101-250
6. Project Sponsor's Name and Address: San Mateo County Parks Department  
455 County Center, Fourth Floor  
Redwood City, CA 94063
7. General Plan Designation: General Open Space
8. Zoning: Resource Management-Coastal Zone (RM-CZ)
9. Description of the Project: The applicant is proposing to make public access improvements to the Preserve. This improvement plan is comprised of two components:
  - a. A beach access improvement project starting at the intersection of Nevada and North Lake Streets and ending at an existing bluff overlook at the northwest edge of Fitzgerald Marine Preserve. For this component, the following actions are proposed (see attached project plans):

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10. Surrounding Land Uses and Setting: The project sites are bordered by urban, single-family land uses to the north and northeast. The project site itself is utilized as a County park. The two components of this project cross through a number of different habitat types:

- Monterey Cypress Grove: A majority of the Coastal Trail component passes through a cypress grove with very little understory, along the eastern side of the

project site. There are some eucalyptus trees scattered throughout this grove. This area could provide potential habitat for various bat species known to inhabit the Coastal Zone. This area, as well as the riparian habitat, could provide potential habitat for the San Francisco dusky-footed woodrat.

- Central Coast Arroyo Willow Riparian Forest: This habitat type is characterized as a dense, low, closed canopy broadleaf and winter deciduous forest. This community is dominated by arroyo willow, which often grows as a large, tree-like shrub. This habitat type occurs along the banks of San Vicente Creek. The proposed clear-span bridge for the Coastal Trail will impact this habitat.
- Coastal Freshwater Marsh: This habitat type occurs within the lower reaches on San Vicente Creek, particularly near the outlet to the sea. The marsh habitat in this project setting is dominated by panicled bulrush and coast carex.
- California Wild Strawberry: Patches of wild strawberry are present along the existing observation deck access trail and throughout the Preserve.

In addition to the above habitat types, various wildlife species could use the project area and be potentially impacted by the proposed projects:

- Pacific Harbor Seal: This species is known to haul out offshore of the project area.
- Various nesting bird species, including special status species such as white-tailed kite, northern harrier, saltmarsh common yellowthroat, and yellow warbler.
- California Red-legged Frog and San Francisco Garter Snake: Both species could potentially use the project area for upland dispersal, foraging and estivation habitat.
- Monarch Butterfly: Suitable winter roost sites exist for this species in the tall eucalyptus and cypress trees in the project area.

11. Other Public Agencies Whose Approval is Required:

California Coastal Commission: Coastal Development Permit  
U.S. Army Corps of Engineers: Section 404 Permit  
Regional Water Quality Control Board: Section 401 Certification  
California Department of Fish and Game: Section 1602 Permit  
U.S. Fish and Wildlife Service: Biological Opinion

## II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 13 and 14.

	NO	IMPACT				SOURCE
		YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
<b>1. <u>LAND SUITABILITY AND GEOLOGY</u></b>						
Will (or could) this project:						
a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay?		X				B,F,O
b. Involve construction on slope of 15% or greater?		X				E,I
c. Be located in an area of soil instability (subsidence, landslide or severe erosion)?	X					Bc,D
d. Be located on, or adjacent to a known earthquake fault?		X				Bc,D
e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?	X					M
f. Cause erosion or siltation?			X			M,I
g. Result in damage to soil capability or loss of agricultural land?	X					A,M
h. Be located within a flood hazard area?		X				G
i. Be located in an area where a high water table may adversely affect land use?	X					D
j. Affect a natural drainage channel or streambed, or watercourse?			X			E

		IMPACT					SOURCE
		NO	YES			Cumulative	
			Not Significant	Significant Unless Mitigated	Significant		
<b>2. <u>VEGETATION AND WILDLIFE</u></b>							
Will (or could) this project:							
a.	Affect federal or state listed rare or endangered species of plant life in the project area?	X					F
b.	Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance?	X					I,A
c.	Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species?			X			F
d.	Significantly affect fish, wildlife, reptiles, or plant life?			X			I
e.	Be located inside or within 200 feet of a marine or wildlife reserve?		X				E,F,O
f.	Infringe on any sensitive habitats?			X			F
g.	Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?			X			I,F,Bb
<b>3. <u>PHYSICAL RESOURCES</u></b>							
Will (or could) this project:							
a.	Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or topsoil)?	X					I



	IMPACT						SOURCE
	NO	YES			Cumulative		
		Not Significant	Significant Unless Mitigated	Significant			
b. Involve grading in excess of 150 cubic yards?			X			I	
c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement?	X					I	
d. Affect any existing or potential agricultural uses?	X					A, K, M	
<b>4. <u>AIR QUALITY, WATER QUALITY, SONIC</u></b>							
Will (or could) this project:							
a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?			X			I, N, R	
b. Involve the burning of any material, including brush, trees and construction materials?	X					I	
c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?	X					Ba, I	
d. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material?	X					I	
e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?	X					A, Ba, Bc	
f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?			X			I	

		IMPACT					SOURCE
		NO	YES			Cumulative	
			Not Significant	Significant Unless Mitigated	Significant		
g.	Generate polluted or increased surface water runoff or affect groundwater resources?			X			I
h.	Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?	X					S
<b>5. <u>TRANSPORTATION</u></b>							
	Will (or could) this project:						
a.	Affect access to commercial establishments, schools, parks, etc.?		X				A,I
b.	Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?		X				A,I
c.	Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?	X					I
d.	Involve the use of off-road vehicles of any kind (such as trail bikes)?	X					I
e.	Result in or increase traffic hazards?	X					S
f.	Provide for alternative transportation amenities such as bike racks?	X					I
g.	Generate traffic which will adversely affect the traffic carrying capacity of any roadway?	X					S

		IMPACT					SOURCE
		NO	YES			Cumulative	
			Not Significant	Significant Unless Mitigated	Significant		
6. <u>LAND USE AND GENERAL PLANS</u>							
Will (or could) this project:							
a. Result in the congregating of more than 50 people on a regular basis?	X						I
b. Result in the introduction of activities not currently found within the community?	X						I
c. Employ equipment which could interfere with existing communication and/or defense systems?	X						I
d. Result in any changes in land use, either on or off the project site?	X						I
e. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?	X						I, Q, S
f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site?	X						I, S
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity?	X						I, S
h. Be adjacent to or within 500 feet of an existing or planned public facility?	X						A

	IMPACT					
	NO	YES				SOURCE
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
i. Create significant amounts of solid waste or litter?	X					I
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)?	X					I
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals?	X					B
l. Involve a change of zoning?	X					C
m. Require the relocation of people or businesses?	X					I
n. Reduce the supply of low-income housing?	X					I
o. Result in possible interference with an emergency response plan or emergency evacuation plan?	X					S
p. Result in creation of or exposure to a potential health hazard?	X					S
7. <u>AESTHETIC, CULTURAL AND HISTORIC</u> Will (or could) this project:						
a. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?	X					A, Bb
b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads?		X				A, I
c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height?	X					I

		IMPACT				SOURCE
		NO	YES			
			Not Significant	Significant Unless Mitigated	Significant	Cumulative
d.	Directly or indirectly affect historical or archaeological resources on or near the site?			X		H
e.	Visually intrude into an area having natural scenic qualities?	X				A,I

III. **RESPONSIBLE AGENCIES.** Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)	X		Section 404 Permit
State Water Resources Control Board		X	
Regional Water Quality Control Board	X		Section 401 Certification
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish and Wildlife Service	X		Biological Opinion
Coastal Commission	X		Coastal Development Permit
City		X	
Sewer/Water District:		X	
Other: California Department of Fish and Game	X		Section 1602 Permit

IV. MITIGATION MEASURES

Mitigation measures have been proposed in project application.

Other mitigation measures are needed.

<u>Yes</u>	<u>No</u>
X	
X	

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

**Mitigation Measures are included in the Project Narrative and Answers to Questions Section.**

**V. MANDATORY FINDINGS OF SIGNIFICANCE**

		Yes	No
1.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X
2.	Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?		X
3.	Does the project have possible environmental effects which are individually limited, but cumulatively considerable?		X
4.	Would the project cause substantial adverse effects on human beings, either directly or indirectly?		X

On the basis of this initial evaluation:

I find the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared by the Planning and Building Department.

I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A **NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

  
Michael Schaffer

Senior Planner  
(Title)

June 29, 2010  
Date

## VI. SOURCE LIST

- A. Field Inspection
- B. County General Plan 1986
  - a. General Plan Chapters 1-16
  - b. Local Coastal Program (LCP) (Area Plan)
  - c. Skyline Area General Plan Amendment
  - d. Montara-Moss Beach-El Granada Community Plan
  - e. Emerald Lake Hills Community Plan
- C. County Ordinance Code
- D. Geotechnical Maps
  - 1. USGS Basic Data Contributions
    - a. #43 Landslide Susceptibility
    - b. #44 Active Faults
    - c. #45 High Water Table
  - 2. Geotechnical Hazards Synthesis Maps
- E. USGS Quadrangle Maps, San Mateo County 1970 Series (See F. and H.)
- F. San Mateo County Rare and Endangered Species Maps, or Sensitive Habitats Maps
- G. Flood Insurance Rate Map – National Flood Insurance Program
- H. County Archaeologic Resource Inventory (Prepared by S. Dietz, A.C.R.S.) Procedures for Protection of Historic and Cultural Properties – 36 CFR 800 (See R.)
- I. Project Plans or EIF
- J. Airport Land Use Committee Plans, San Mateo County Airports Plan
- K. Aerial Photography or Real Estate Atlas – REDI
  - 1. Aerial Photographs, 1941, 1953, 1956, 1960, 1963, 1970
  - 2. Aerial Photographs, 1981
  - 3. Coast Aerial Photos/Slides, San Francisco County Line to Año Nuevo Point, 1971
  - 4. Historic Photos, 1928-1937



- L. Williamson Act Maps
- M. Soil Survey, San Mateo Area, U.S. Department of Agriculture, May 1961
- N. Air Pollution Isopleth Maps – Bay Area Air Pollution Control District
- O. California Natural Areas Coordinating Council Maps (See F. and H.)
- P. Forest Resources Study (1971)
- Q. Experience with Other Projects of this Size and Nature
- R. Environmental Regulations and Standards:
 

Federal	<ul style="list-style-type: none"> <li>- Review Procedures for CDBG Programs</li> <li>- NEPA 24 CFR 1500-1508</li> <li>- Protection of Historic and Cultural Properties</li> <li>- National Register of Historic Places</li> <li>- Floodplain Management</li> <li>- Protection of Wetlands</li> <li>- Endangered and Threatened Species</li> <li>- Noise Abatement and Control</li> <li>- Explosive and Flammable Operations</li> <li>- Toxic Chemicals/Radioactive Materials</li> <li>- Airport Clear Zones and APZ</li> </ul>	<ul style="list-style-type: none"> <li>24 CFR Part 58</li> <li>36 CFR Part 800</li> <li>Executive Order 11988</li> <li>Executive Order 11990</li> <li>24 CFR Part 51B</li> <li>24 CFR 51C</li> <li>HUD 79-33</li> <li>24 CFR 51D</li> </ul>
State	<ul style="list-style-type: none"> <li>- Ambient Air Quality Standards</li> <li>- Noise Insulation Standards</li> </ul>	<ul style="list-style-type: none"> <li>Article 4, Section 1092</li> </ul>
- S. Consultation with Departments and Agencies:
  - a. County Health Department
  - b. City Fire Department
  - c. California Department of Forestry
  - d. Department of Public Works
  - e. Disaster Preparedness Office
  - f. Other

**COUNTY OF SAN MATEO**  
Planning and Building Department

**Initial Study Pursuant to CEQA**  
**Project Narrative and Answers to Questions for the Negative Declaration**  
**File Number: PLN 2010-00093**  
**Fitzgerald Marine Preserve Improvement Project**

**ANSWERS TO QUESTIONS**

**1. LAND SUITABILITY AND GEOLOGY**

- a. **Will (or could) this project involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay?**

**Yes, Not Significant.** Rip-rap is present below the High Tide Line (HTL) along the western perimeter of the existing observation deck at the northwestern corner of the project area. As part of the improvements proposed for the observation deck, existing rip-rap (0.02 acre) will be removed from below the HTL and new rip-rap will be installed to minimize erosion between the observation deck and the beach. To increase the stability and durability of the observation deck, approximately 0.003 acre of additional rip-rap will be placed below the HTL. Given the small size of additional rip-rap and the public nature of the intended use, staff has determined that this is a less than significant impact.

- b. **Will (or could) this project involve construction on slope of 15% or greater?**

**Yes, Not Significant.** Portions of the rock slope shore protection will exceed 15% slope. However, the project has been designed to accommodate this slope. This is not a significant impact.

- d. **Will (or could) this project be located on, or adjacent to a known earthquake fault?**

**Yes, Not Significant.** The Seal Cove fault line runs directly through the project site. However, given the non-habitable nature of the proposed project, there is no evidence to suggest that the proposed project will increase the level of risk that park visitors are currently exposed to on an on-going basis.

- f. **Will (or could) this project cause erosion or siltation?**

**Yes, Significant Unless Mitigated.** The project will involve grading within and adjacent to identified riparian corridors. To address the potentially significant impact of erosion, the following mitigation measure is required:

**Mitigation Measure 1:** Prior to the beginning of grading and construction activities, the applicant shall submit to the Planning Department for review and approval, an

**ANSWERS TO QUESTIONS**

File No. PLN 2010-00093

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erosion and drainage control plan which shows how the transport and discharge of soil and pollutants from the project site will be minimized. The goal is to prevent sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines", including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
- b. Removing spoils promptly, and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
- c. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to a local storm drain system or water body.
- d. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.

The approved erosion and drainage control plan shall be implemented prior to the beginning of grading activities.

**h. Will (or could) this project be located within a flood hazard area?**

**Yes, Not Significant.** The FEMA flood maps indicate that San Vicente Creek is within a Zone A-2 (Areas of 100-year flood, base flood elevations and flood hazard factors determined) as it traverses the project site from east to west. Additionally, the coastal bluff portions of the project site are within Zone V (Areas of 100-year coastal flood with velocity (wave action)). The proposed bridge (Component B) has been sized by the applicant to allow the 100-year flood to flow under it. The bridge abutments will be constructed near the top of the creek banks. No habitable structures are proposed as part of this project. In the case of flooding or tsunami, impacts to the bridge and other infrastructure would be temporary in nature and pose an inconvenience rather than a health and safety impact.

**j. Will (or could) this project affect a natural drainage channel or streambed, or watercourse?**

**Yes, Significant Unless Mitigated.** As discussed above, the proposed bridge will not reduce the carrying capacity of the stream nor require any alteration of the streambed alignment. Construction of the bridge will permanently impact approximately 175 sq. ft. of riparian vegetation. This impact to biotic resources will be discussed in the next section.

**ANSWERS TO QUESTIONS**

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**2. VEGETATION AND WILDLIFE**

- a. **Will (or could) this project affect federal or state listed rare or endangered species of plant life in the project area?**

**No.** The following is excerpted from the applicant's biological report:

"Of the 50 special status plant species known to occur in the vicinity of the Study Area, 24 were determined to have a moderate potential to occur in the Study Area. Protocol-level rare plant surveys were conducted on April 28 and July 30, 2009. These surveys followed the protocol for plant surveys as described in Nelson (1987), which are in compliance with CNPS, CDFG, and USFWS guidelines and focused on those species with a moderate potential to occur in the Study Area. No special status plant species were observed during the 2008 reconnaissance site visit or the 2009 protocol-level rare plant surveys."

- c. **Will (or could) this project be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species?**

**Yes, Significant Unless Mitigated.** The applicant's biological report has identified the following listed wildlife species as having a high or moderate potential to occur on-site, or were observed on-site:

SPECIES	POTENTIAL FOR OCCURRENCE
Long-eared Myotis <i>Myotis evotis</i>	<b>Moderate.</b> Trees in the project area may provide suitable roost habitat for this species.
Fringed Myotis <i>Myotis thysanodes</i>	<b>Moderate.</b> Trees in the project area may provide suitable roost habitat for this species.
Long-legged Myotis <i>Myotis volans</i>	<b>Moderate.</b> Trees in the project area may provide suitable roost habitat for this species.
Pallid Bat <i>Antrozous pallidus</i>	<b>Moderate.</b> Trees in the project area may provide suitable roost habitat for this species.
Western Red Bat <i>Lasiurus blossevillii</i>	<b>Moderate.</b> Trees in the project area may provide suitable roost habitat for this species.
San Francisco Dusky-Footed Woodrat <i>Neotoma fuscipes annectens</i>	<b>High.</b> The forested, riparian and scrub habitat in the project area provide suitable nesting habitat for this species.
Southern Sea Otter <i>Enhydra lutris nereis</i>	<b>Present.</b> Preserve rangers have observed this species foraging off shore of the project area.
Pacific Harbor Seal <i>Phoca vitulina richardsi</i>	<b>Present.</b> This species has a known haul out off shore of the project area.

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SPECIES	POTENTIAL FOR OCCURRENCE
White-tailed Kite <i>Elanus leucurus</i>	<b>Moderate.</b> The project area contains suitable breeding and foraging habitat for this species. This species winters in the area.
Northern Harrier <i>Circus cyaneus</i>	<b>Moderate.</b> The project area contains suitable breeding and foraging habitat for this species.
Black Oystercatcher <i>Haematopus bachmani</i>	<b>Present.</b> This species forages off shore of the project area and may breed in the rocky, undisturbed portions of the shoreline.
Olive-sided Flycatcher <i>Contopus cooperi</i>	<b>Moderate.</b> The project area contains suitable breeding and foraging habitat for this species.
Purple Martin <i>Progne subis</i>	<b>Moderate.</b> The project area contains suitable breeding and foraging habitat for this species.
Loggerhead Shrike <i>Lanius ludovicianus</i>	<b>Moderate.</b> The project area contains suitable breeding and foraging habitat for this species.
San Francisco (Saltmarsh) Common Yellowthroat <i>Geothlypis trichas sinuosa</i>	<b>High.</b> The project area contains suitable breeding and foraging habitat for this species.
Yellow Warbler <i>Dendroica petechia</i>	<b>Moderate.</b> The project area contains suitable breeding and foraging habitat for this species.
Bryant's Savannah Sparrow <i>Passerculus sandwichensis alaudinus</i>	<b>Moderate.</b> The project area contains suitable breeding and foraging habitat for this species.
San Francisco Garter Snake <i>Thamnophis sirtalis tetrataenia</i>	<b>Moderate.</b> The creek and temporary pond adjacent to the project area may provide suitable foraging habitat for this species. The uplands in the project area may provide suitable estivation habitat.
California Red-legged Frog <i>Rana aurora draytonii</i>	<b>Moderate.</b> The creek and temporary pond adjacent to the project area may provide suitable non-breeding aquatic habitat for this species. The uplands in the project area may provide suitable estivation habitat.
Black Abalone <i>Haliotis cracherodii</i>	<b>Present.</b> This species is known to occur in the intertidal areas off shore of the project area.
Monarch butterfly <i>Danaus plexippus</i>	<b>Moderate.</b> The mature trees in the project area may provide a suitable winter roost site.

The biological report (included as Attachment A of this initial study) identified the following potential impacts (with recommended mitigation measures) to the above listed species as a result of this project:

- Bats, including some special status bats, may be impacted by construction activity during critical life stages from November through August if disturbance occurs near potential bat roosts (trees, snags).

**Mitigation Measure 2:** If construction will occur during the bats maternity roosting season (defined as: April 1 through August 31), then the applicant shall perform pre-construction surveys for bats. Surveys shall be conducted by

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a qualified biologist no less than 14 days prior to removal of trees, snags or buildings within the Study Area. Ultrasonic acoustic surveys and/or other site appropriate survey methods shall be performed to determine the presence or absence of bats utilizing the Study Area as roosting or foraging habitat. If special status bat species are detected during surveys, appropriate species and roost specific mitigation measures shall be developed. Such measures may include postponing removal of trees, snags or structures until the end of the maternity roosting season or construction of species appropriate roosting habitat within, or adjacent to the Study Area.

Trees, snags and buildings may be removed outside of the maternity roosting season without performing pre-construction bat surveys. However, if buildings are to be demolished, internal entrance surveys shall be performed by a qualified bat biologist no less than 14 days prior to demolition to determine if buildings currently or previously support roosting bats. If bats are determined to be present, appropriate methods shall be used to exclude bats from the building. Such methods may include installation of one way "valves" to allow bats to exit, but not allow them to re-enter the building. Species and roost appropriate mitigation measures shall be developed based on the results of the survey in consultation with the California Department of Fish and Game (CDFG).

- Construction activities have the potential to impact the San Francisco dusky-footed woodrat if the stick houses of this species are observed within or near areas where disturbance is to take place.

**Mitigation Measure 3:** If stick houses are observed, they shall be avoided if possible. If avoidance is not feasible, the houses shall be dismantled by hand under the supervision of a biologist. If young are encountered during the dismantling process, the material shall be placed back on the house and the house will remain unmolested for two to three weeks in order to give the young enough time to mature and leave the house. After two to three weeks, the nest dismantling process may begin again. Nest material will be moved to suitable adjacent areas (riparian, woodland, scrub) that will not be impacted.

- The Pacific Harbor Seal is known to haul out off shore of the Study Area. Construction activities in the Study Area may have the potential to impact this species through acoustic or visual disturbance.

**Mitigation Measure 4:** Visual and acoustic disturbance during construction may affect the behavior of the Pacific Harbor Seal. Construction noise levels shall be kept lower than 160 decibels - the limit recommended by the National Marine Fisheries Service (NMFS) for the protection of marine mammals. The applicant shall coordinate with NMFS for the issuance of a marine mammal

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Incidental Harassment Authorization Permit or Letter of Concurrence for potential disturbances to the seals, if NMFS determines that one is necessary.

- Nesting birds, including a number of special status birds, may be impacted if construction activities occur in or near potential breeding habitat (aquatic and upland vegetation) during the breeding season from February through August.

**Mitigation Measure 5:** If possible, the clearing of vegetation and the initiation of construction shall be done in the non-breeding season between September and January. If these activities cannot be done in the non-breeding season, a qualified biologist shall perform pre-construction breeding bird surveys within 14 days of the onset of construction or clearing of vegetation. If nesting birds are discovered in the vicinity of planned construction, a buffer area around the nest will be established until the nest is vacated. The size of the buffer would be dependent on the habitat, level of disturbance and the particular species of nesting bird.

- Upland dispersal, foraging and estivation habitat for California red-legged frog (CRLF) and San Francisco garter snake (SFGS) may be impacted by the proposed project.

**Mitigation Measure 6:** At least 10 days prior to the onset of activities, the applicant or project proponent shall submit the name(s) and credentials of biologists who would conduct activities specified in the following measures. No project activities shall begin until project proponents have received written approval from the United States Fish and Wildlife Service (USFWS) that the biologist(s) is qualified to conduct the work.

**Mitigation Measure 7:** A USFWS-approved biologist shall survey the work site immediately before the onset of construction activities. If CRLF, tadpoles, or eggs are found, the approved biologist shall contact the USFWS to determine if moving any of these life-stages is appropriate. In making this determination, the USFWS will consider if an appropriate relocation site exists. If the USFWS approves moving animals, the approved biologist will be allowed sufficient time to move them from the work site before work activities begin. Only USFWS-approved biologists shall participate in activities associated with the capture, handling, and monitoring of CRLF. Any SFGS shall be allowed to leave the work area of their own accord, and shall be monitored as practical by the biologist to ensure they do not re-enter the work area.

**Mitigation Measure 8:** Prior to the start of groundbreaking activities, all construction personnel will receive training on listed species and their habitats by a USFWS-approved biologist. The importance of these species and their habitat will be described to all employees as well as the minimization and

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avoidance measures that are to be implemented as part of the project. An educational brochure containing color photographs of all listed species in the work area(s) will be distributed to all employees working within the project site(s). The original list of employees who attend the training sessions will be maintained by the applicant and be made available for review by the USFWS upon request.

**Mitigation Measure 9:** Wildlife exclusion fencing will be erected and maintained around the perimeter of the project and project staging areas to prevent SFGS and CRLF from entering the site. Installation of the fence will be performed under the supervision of a USFWS-approved biologist. Once the fencing is installed, workers will clear all vegetation within this area with belt driven weed whackers or other hand tools to a height of 4-6 inches. Following the removal of vegetation, pre-construction surveys will be performed prior to the start of any groundbreaking activities by a USFWS-approved biologist. Fencing will be equipped with one-way escape funnels. Fencing will extend a minimum of 36 inches above ground level and will be buried 4-6 inches into the ground. Exclusion fencing will be checked a minimum of one time per week by biological monitors for the duration of the project to identify problems or weaknesses in fence integrity and function. All compromised portions will be repaired and/or replaced immediately. Upon completion of the project, all fencing material will be removed from the site and disposed of properly.

**Mitigation Measure 10:** A USFWS-approved biologist shall be present at the work site until such time as all removal of CRLF and/or SFGS, instruction of workers, and habitat disturbance have been completed. After this time, the contractor or permittee shall designate a person to monitor on-site compliance with all minimization measures. The USFWS-approved biologist shall ensure that this individual (on-site biological monitor) receives training outlined in Mitigation Measure 3 (above) and in the identification of CRLF and SFGS. The on-site biological monitor and the USFWS-approved biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the Corps and USFWS during review of the proposed action. If work is stopped, the Corps and USFWS shall be notified immediately by the USFWS-approved biologist or on-site biological monitor.

**Mitigation Measure 11:** The on-site biological monitor(s) will remain on-site for the duration of the proposed project, including vegetation removal, grading and cleanup activities. If a CRLF or SFGS is observed at any time, the on-site biological monitor will have the authority to halt work on the project site until these animals are no longer within the work area. If construction activities are occurring at more than one location at a time, each area must have a minimum



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of one on-site biological monitor present to increase the likelihood that listed species are detected.

**Mitigation Measure 12:** All Best management practices prescribed by the San Mateo County Planning Department for work within sensitive habitat areas will be implemented to the full extent.

**Mitigation Measure 13:** Designated construction staging areas will be utilized as the staging areas for the trail and bridge construction activities. All vehicles associated with project activities will be clustered within these areas at the end of each workday or when not in use to minimize habitat disturbance and water quality degradation. Before vehicles move from the staging areas at the start of each workday or before they return to this location at the end of each workday, the on-site biological monitor will check under the vehicles and their tires to ensure no listed species are utilizing the equipment as temporary shelter.

**Mitigation Measure 14:** Tightly woven fiber netting or similar material shall be used for erosion control or other purposes at the project to ensure that the CRLF and SFGS do not get trapped. This limitation will be communicated to the contractor. Plastic mono-filament netting (erosion control matting), rolled erosion control products or similar material shall not be used at the project site because red-legged frog, garter snake, and other species may become entangled or trapped in it.

**Mitigation Measure 15:** No lighting will be incorporated at any location into the project design.

**Mitigation Measure 16:** To discourage recreational users from leaving designated trails, interpretive signs describing the sensitivity of the habitat and how to utilize the property in an ecologically sensitive manner will be placed at trailheads and wetlands adjacent to enhanced trails. If rehabilitated trails show continued signs of usage, the applicant will implement additional preventative measures, such as the installation of additional signage or fencing. Trailhead signs will also describe the importance of prohibitions on unrestrained domestic pets and the associated fines for violating these laws.

**Mitigation Measure 17:** No trash shall be deposited on the site during construction activities. All trash shall be placed in trash receptacles with secure lids or stored in vehicles.

**Mitigation Measure 18:** Fueling and maintenance of equipment will be conducted off-site and at least 50 feet from any wetland.

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**Mitigation Measure 19:** Because CRLF and SFGS may take refuge in cavity-like and den-like structures such as pipes and may enter stored pipes and become trapped, all construction pipes, culverts, or similar structures that are stored at a construction site for one or more overnight periods will be either securely capped prior to storage or thoroughly inspected by the on-site biologist and/or the construction foreman/manager for these animals before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a red-legged frog is discovered inside a pipe by the on-site biologist or anyone else, the on-site biologist shall move the animal to a safe nearby location and monitor it until it is determined that it is not imperiled by predators or other dangers. If a SFGS is found, it should be allowed to passively leave the work area on its own, as determined by the on-site biologist, or moved by a SFGS permitted biologist with permission from USFWS and CDFG.

**Mitigation Measure 20:** To prevent inadvertent entrapment of CRLF and SFGS during construction, the on-site biologist and/or construction foreman/manager shall ensure that all excavated, steep-walled holes or trenches more than 1-foot deep are completely covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks and inspected by the on-site biologist. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals by the on-site biologist and/or construction foreman/manager. If at any time a trapped CRLF or SFGS is discovered by the on-site biologist or anyone else, it should be allowed to passively leave the work area on its own, as determined by the on-site biologist, or moved by a SFGS permitted biologist with permission from USFWS and CDFG.

**Mitigation Measure 21:** Permanent and temporary disturbances and other types of project-related disturbance to the habitats of the garter snake shall be minimized to the maximum extent practicable. To minimize temporary disturbances, all project-related vehicle traffic shall be restricted to established roads, construction areas, and other designated areas. These areas should be established in locations disturbed by previous activities to prevent further adverse effects.

*California Red-legged Frog Specific Measures*

**Mitigation Measure 22:** Pre-construction surveys for the CRLF will be performed by USFWS-approved biologists throughout the action area immediately prior to groundbreaking activities. If a CRLF is observed, a USFWS-approved biologist will remove these individuals to locations outside of the work area but within the greater property boundary. Red-legged frogs will not be removed from the vicinity or remain in captivity over night unless in the care of a certified wildlife veterinarian.

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**Mitigation Measure 23:** Under no circumstances will mosquito fish (*Gambusia affinis*) be introduced at any location within the Study Area. If pesticide application for mosquito abatement becomes necessary, the applicant will contact the USFWS and the San Mateo Mosquito Abatement District for further guidance.

**Mitigation Measure 24:** Upon completion of the construction and rehabilitation phases of the proposed project, the applicant will monitor the property regularly and according to a USFWS-approved monitoring plan to ensure the successful establishment of native plants in all restored areas. Any plant species observed in these areas determined to be invasive will be removed.

**Mitigation Measure 25:** Because dusk and dawn are often the times when CRLF are most actively foraging and dispersing, all construction activities should cease one-half hour before sunset and should not begin prior to one-half hour before sunrise.

*San Francisco Garter Snake Specific Measures*

**Mitigation Measure 26:** Pre-construction surveys for the SFGS will be performed by USFWS-approved biologists throughout the action area immediately prior to groundbreaking activities. If at any time during the survey, vegetation removal, or construction phases of the proposed project a SFGS is observed within the action area, the animal will be allowed to passively leave the work area unless in circumstances where the animal is determined to be trapped as discussed above.

**Mitigation Measure 27:** All vegetation removed during trail construction activities will remain on-site upon completion of trail development. A portion of this vegetation will be utilized to facilitate the rehabilitation of the existing unofficial trails. The remainder of the removed vegetation will be bundled into small piles and placed near on-site aquatic areas to provide cover for local SFGS.

- The monarch butterfly may be impacted if construction activities disturb occupied over wintering roost habitat in the Study Area.

**Mitigation Measure 28:** If possible, any necessary tree removal for this project shall be scheduled between March and September. If construction activities or vegetation removal must occur during the winter, from October through February, then a monarch winter roost survey shall be required. Detection of a roost will require consultation with CDFG.

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- The black abalone is known to occur off shore of the Study Area. This species may be impacted if construction activities negatively affect the water quality off shore of the Study Area.

**Mitigation Measure 29:** Construction Best Management Practices (BMPs) should offset any potential negative impacts to water quality during construction activities. Techniques may include dry season work windows and the use of silt fencing and straw wattles to prevent sediment and construction debris from entering the intertidal area. Work conducted within the rip-rap at the observation area shall be performed at low tide. Fueling and maintenance of equipment (or other work tasks that may spill contaminants) will be conducted at least 50 feet away from the high tide line.

Implementation of the above mitigation measures will reduce potential impacts to these listed species to a less than significant level.

- d. **Will (or could) this project significantly affect fish, wildlife, reptiles, or plant life?**

See question 2.c above.

- e. **Will (or could) this project be located inside or within 200 feet of a marine or wildlife reserve?**

**Yes, Not Significant.** The project is located within the Fitzgerald Marine Preserve. The project proponent is the County Parks Department. The purpose of the project is to provide ADA accessible facilities in compliance with the County Parks Plan, County General Plan and State and Federal law. Measures to protect natural resources have been incorporated by the applicant into their plans. This is not a significant impact.

- f. **Will (or could) this project infringe on any sensitive habitats?**

**Yes, Significant Unless Mitigated.** As discussed previously, the project site includes wetlands, riparian areas, creeks, and patches of California strawberry, all of which qualify as sensitive habitat. The following table and discussion summarizes the habitat types and amounts of impact that will occur as a result of this project:

HABITAT	JURISDICTION	TEMPORARY IMPACTS	PERMANENT IMPACTS
San Vicente Creek	Corps, RWQCB, CCC	0.01 acre	N/A

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HABITAT	JURISDICTION	TEMPORARY IMPACTS	PERMANENT IMPACTS
Ocean (below the HTL)	Corps, RWQCB, CCC	0.02 acre	0.003 acre
Non-wetland Riparian	CDFG, RWQCB, CCC	N/A	0.004 acre
Native Strawberry	CCC	0.03 acre	0.03 acre

San Vicente Creek (ESHA)

San Vicente Creek is a perennial stream that runs along and near the northern border of the project area, crossing the property to the Pacific Ocean. Sediment from upstream has accrued in the lower portion of San Vicente Creek, resulting in increased vegetation and wetland habitats near the mouth of the creek. Hydrology within the creek is primarily driven by direct precipitation, runoff from surrounding areas, and flow from watershed associated with San Vicente Creek. The drainage supports dense riparian vegetation dominated by arroyo willow (*Salix lasiolepis*). A clear span bridge will be installed across San Vicente Creek at the western end of the proposed portion of the California Coastal Trail; installation of the bridge will permanently impact 0.004 acre of riparian habitat. As part of project activities, existing rip-rap will be removed at the mouth of San Vicente Creek, resulting in a gain of approximately 0.002 acre of beach habitat. In addition, the rip-rap foundation of the observation area will undergo maintenance to improve stability: the existing coastal access stairway and surrounding rip-rap will be removed and replaced, resulting in a approximately 0.01 acre of temporary impacts below the OHWM.

Ocean

Rip-rap is present below the HTL along the western perimeter of the existing observation deck at the northwestern corner of the project area. As part of the improvements proposed for the observation deck, existing rip-rap (0.02 acre) will be removed from below the HTL and new rip-rap will be installed to minimize erosion between the observation deck and the beach. To increase the stability and durability of the observation deck, approximately 0.003 acre of additional rip-rap will be placed below the HTL.

Non-wetland Riparian (ESHA)

Central Coast Arroyo Willow Riparian Forest occurs along the banks of San Vicente Creek. This community grows as a dense, low, closed canopy forest dominated by arroyo willow. The clear span bridge proposed for placement across San Vicente Creek will require the removal of riparian vegetation, thus permanently impacting 0.004 acre of non-wetland riparian habitat.

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Native Strawberry (ESHA)

Patches of California wild strawberry are present along the existing observation deck access road and throughout the Study Area. California wild strawberry is protected under the San Mateo LCP within one-half mile of the coast. Improvements to the trail leading to the observation deck and California Coastal Trail improvements proposed by this project will temporarily impact 0.03 acre and permanently impact 0.03 acre of California wild strawberry.

The applicant's biological report has proposed the following mitigation measures to address these potentially significant impacts:

**Mitigation Measure 30:** The applicant shall compensate for impacts to the Central Coast arroyo willow riparian habitat by replacing non-native vegetation with riparian plantings at a 2:1 ratio of restored riparian to impacted area. To mitigate for impacts to riparian habitat at the location of the proposed clear span bridge across San Vicente Creek, an adjacent area on the north side of the creek will be planted with willow cuttings, and nearby areas colonized by invasive species will be replanted with riparian plant species. Planting activities will take place concurrently with trail improvements and bridge installation. To ensure optimal survival and establishment, plantings will be installed in the fall before the onset of the rainy season. This compensation shall be documented through the submittal of a mitigation planting plan, which shall include final success criteria, implementation measures, maintenance and monitoring plan.

**Mitigation Measure 31:** The applicant shall compensate for impacts to California wild strawberry by replacing ice plant with native strawberry at a 1:1 ratio of planted strawberry habitat to impacted area. California wild strawberry will be planted in areas currently dominated by ice plant that are adjacent to those locations where impacts to existing strawberry are proposed. Temporary impacted areas of California strawberry as a result of project activities will be replanted and returned to pre-construction conditions. California wild strawberry planting activities will take place concurrently with trail improvements. To ensure optimal survival and establishment, plantings will be installed in the fall before the onset of the rainy season. This compensation shall be documented through the submittal of a mitigation planting plan, which shall include final success criteria, implementation measures, maintenance and monitoring plan.

- g. Will (or could) this project involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?**

See question 2.f above.

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**3. PHYSICAL RESOURCES**

- b. Will (or could) this project involve grading in excess of 150 cubic yards?

See question 1.f above.

**4. AIR QUALITY, WATER QUALITY, SONIC**

- a. Will (or could) this project generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?

**Yes, Significant Unless Mitigated.** The project could generate significant amounts of dust as a result of the proposed grading work, and vehicle travel on paved and/or unpaved surfaces to the point where air quality standards are violated. To reduce this potential, the following mitigation measure is proposed:

**Mitigation Measure 32:** The applicant shall implement the following dust control measures during grading and construction activities:

- a. Water all active construction and grading areas at least twice daily.
  - b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
  - c. Pave, apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at the project site.
  - d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
  - e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.)
- f. Will (or could) this project generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?

**Yes, Significant Unless Mitigated.** The construction of this project could temporarily generate noise levels that are greater than the ambient noise levels in the project areas. There are residences immediately adjacent to the project site, and these residents could be affected by the anticipated noise increase. To mitigate this potential impact, the following mitigation measure is proposed:

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**Mitigation Measure 33:** Noise levels produced by proposed construction activities shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.

- g. **Will (or could) this project generate polluted or increased surface water runoff or affect groundwater resources?**

**Yes, Significant Unless Mitigated.** Please see Question 1.f above.

5. **TRANSPORTATION**

- a. **Will (or could) this project affect access to commercial establishments, schools, parks, etc.?**

**Yes, Not Significant.** There will be a temporary reduction in coastal access while the path and overlook are modified/re-constructed. However, the applicant is currently repairing/re-constructing a secondary shoreline access stairway at the south end of the Preserve, which should be completed by the time this project is ready to begin. This alternate access will still allow the public to reach the beach while the current project is under construction. Once this proposed project is completed, access to the northern portion of the Preserve will be re-established and will be ADA compliant as required by Federal, State and County plans and regulations.

- b. **Will (or could) this project cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?**

**Yes, Not Significant.** Currently, pedestrians use an informal dirt path adjacent to San Vicente Creek, in addition to the formal dirt path that leads down to the bluff top overlook. The applicant is proposing to retire the old dirt path and restore it as habitat. The new ADA compliant trail will occupy the same alignment as the current official trail to the overlook. The proposed project will result in NO change to public access.

7. **AESTHETIC, CULTURAL AND HISTORIC**

- a. **Will (or could) this project obstruct scenic views from existing residential areas, public lands, public water body, or roads?**

**Yes, Not Significant.** Construction of the ADA trail and overlook will temporarily obstruct, at least partially, views of the shoreline from North Lake Street, a public street, as well as from within the Preserve. However, the obstruction will be temporary in nature, approximately 4 months.

- d. **Will (or could) this project directly or indirectly affect historical or archaeological resources on or near the site?**



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**Yes, Significant Unless Mitigated.** As part of their project design process, the applicant contracted with an archeological resources consultant to perform a reconnaissance of the project site. The consultant found no listed or potentially eligible resources in or adjacent to the area of the beach access component. However, the area of the Coastal Trail does contain an identified archeological site. To protect these resources, the consultant has recommended the following measures:

**Mitigation Measure 34:** The proposed pedestrian bridge shall be supported by a concrete abutment that will be constructed at or above existing grade on the south bank of Vicente Creek. The abutment shall be supported by three 3-inch diameter metal pilings, which shall be installed to a depth (> 37 feet) that will contact bedrock.

- Pilings shall be installed using a small vibratory hammer mounted on small rubber tired or tracked Bobcat or equivalent equipment.
- Heavy equipment shall be rubber-tired or rubber-tracked and of the smallest size necessary to complete any earthwork.
- Pilings shall be placed within the smallest area possible subject to ground disturbance near the creek edge.
- Any area, within the archeological site or immediately adjacent to the recorded site boundary, subject to disturbance by workers or equipment, shall be protected by installing straw layer/wood mats on the surface prior to work. The straw layer/wood mats shall be placed by hand and removed by hand to avoid surface disturbance.

**Mitigation Measure 35:** A segment of the California Coastal Trail is present within the archaeological resource. The segment shall be installed above the existing grade in order to minimize disturbances to the ground surface.

- Engineered fill shall be placed over the ground surface in the locations of the trail in order to protect the archaeological site. The fill shall have a minimum depth of 12 inches and may increase in thickness to approximately 24 inches at the south bridge abutment.
- A permeable geo-textile fabric will be installed on top of the undisturbed ground surface and underneath the engineered fill to mark the location of the undisturbed ground surface. Standard installation methods for the trail within the archeological site shall:
  - (a.) omit compaction of sub-grade;
  - (b.) place fill soils for the protective cap in 4-inch lifts; and,
  - (c.) compact with static smooth drum roller instead of vibratory compaction.

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- Any area, within the archeological site or immediately adjacent to the recorded site boundary, subject to disturbance by workers or equipment, shall be protected by installing straw layer/wood mats on the surface prior to work. The straw layer/wood mats shall be placed by hand and removed by hand to avoid surface disturbance.
  - Heavy equipment shall be rubber tired or rubber tracked and of the smallest size necessary to complete any earthwork.
  - Hand construction of the trail within the archaeological site boundary shall be utilized wherever practical to minimize mechanical damage.
  - Fill material shall be brought to the project area via the existing unimproved trail that is accessed from Cypress Street. No improvements shall be made to the trail.
- 
- Heavy equipment and temporary fill stockpiles shall be prohibited within or adjacent to the recorded archaeological site boundary. The “no-go” zones along trail alignment within site boundary shall be marked during construction. Install barrier fencing to confine equipment and construction traffic to trail within site boundary.
  - Temporary fill stockpiles may be placed along the existing trail if they are more than 25 feet from the recorded site boundary.
  - Fill shall be transferred from stockpile areas to areas within the archaeological site by hand whenever possible or using equipment if the pressure applied by the combined weight of the equipment and fill shall not cause compaction of the ground surface within the site (Note: Applied pressure shall not exceed 15lbs per square inch). Only rubber tire or rubber track equipment shall be used. All ground disturbing construction or construction with the potential for native soil ground disturbance within or within 50 feet of the recorded site boundary of CA-SMA-133 shall be monitored by a professional archaeologist meeting the Secretary of the Interior’s standards.
  - Archaeological monitor shall have the authority to temporarily halt any ground disturbing construction to identify and evaluate any archaeological materials inadvertently exposed during construction. The exposure of significant resources could result in the development of a treatment program including scientific removal, analysis and reporting. The exposure of any Native American burials shall be handled in accordance with state law.

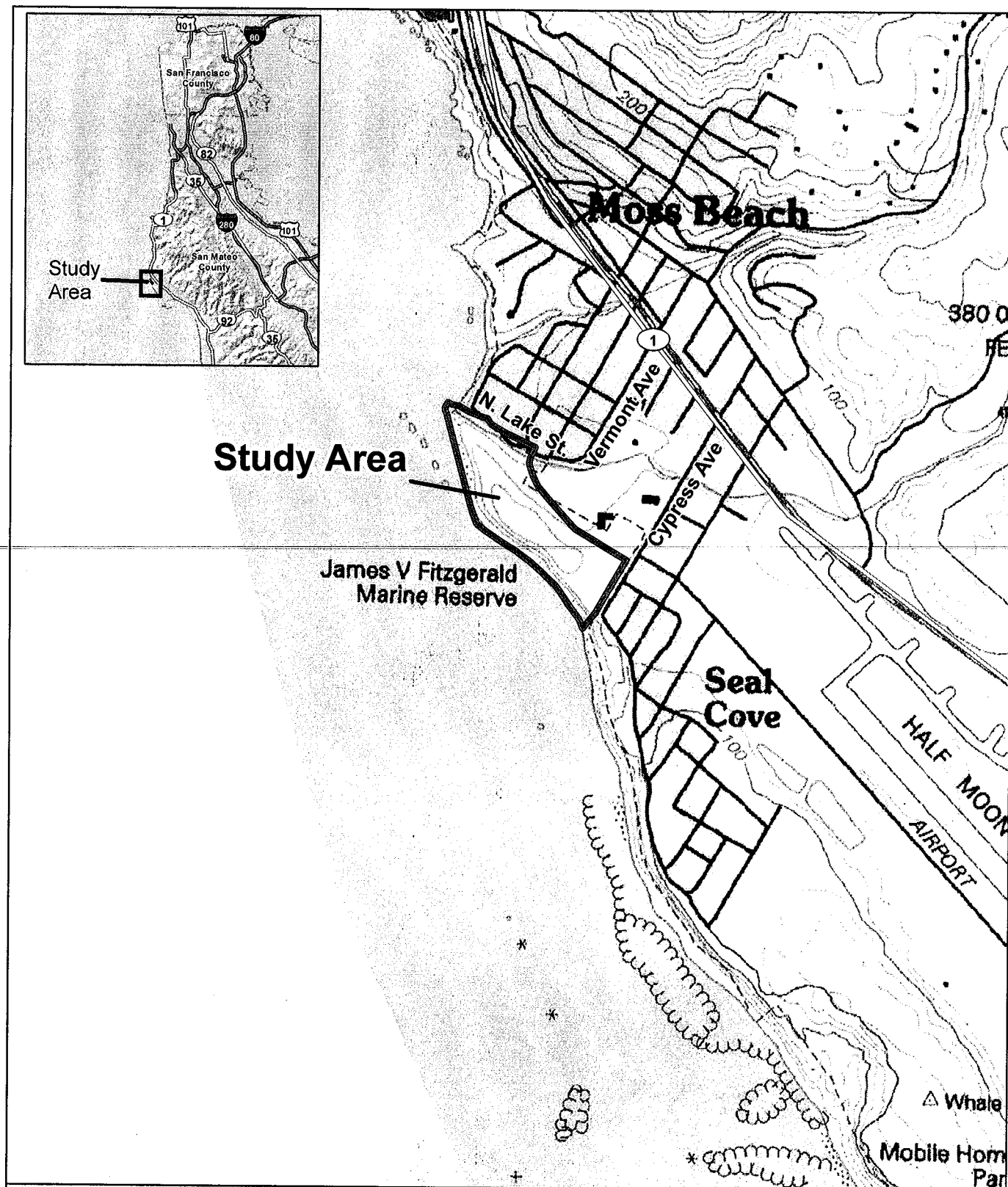


Figure 1. Location Map

Fitzgerald Marine Reserve  
Half Moon Bay, CA

0 0.1 0.2 0.4  
Miles



ENVIRONMENTAL CONSULTANTS

Date: October 2009  
Map By: Sundaran Gillespie  
Filepath: I:\Acad2000\18000\18054\gis\Arcmap\Location Map.mxd

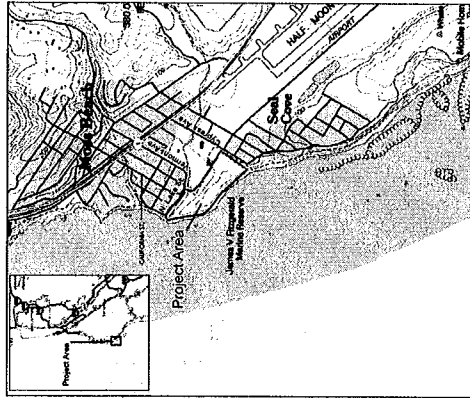
# FITZGERALD MARINE RESERVE BEACH ACCESS

MOSS BEACH, CALIFORNIA

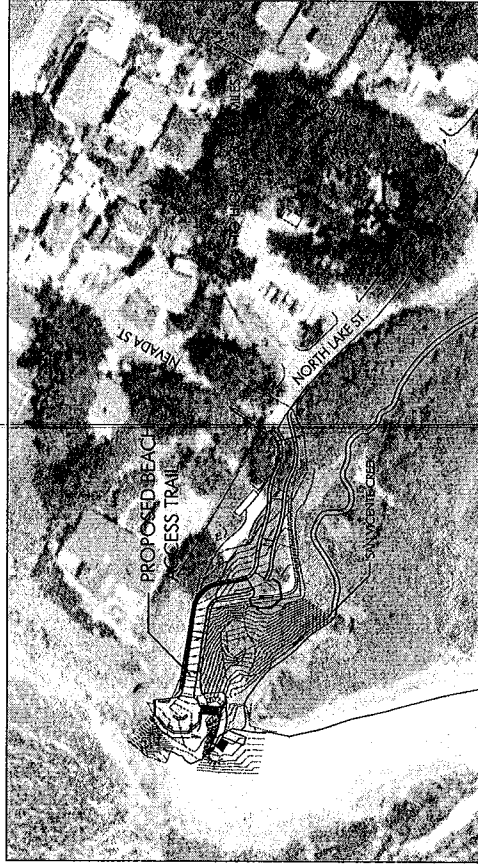
**WRO**  
LANDSCAPE ARCHITECTS AND PLANNERS  
2109 G Street, Suite 200  
Moss Beach, CA 94038  
(415) 454-0179 Fax  
(415) 454-0179 Fax

**FITZGERALD**  
MARINE RESERVE  
BEACH ACCESS  
MOSS BEACH, CALIFORNIA

LOCATION MAP



SITE MAP



SCALE: 1:50

## SHEET INDEX

L-1	---	SHEET INDEX
L-2	---	EXISTING CONDITIONS AND DEMOLITION PLAN
L-3	---	SITE AND LAYOUT PLAN
L-4	---	GRADING AND EROSION CONTROL PLAN
L-5	---	STRUCTURAL AND SITE DETAILS
L-6	---	SITE DETAILS

## SHEET INDEX

Sheet

**L-1**

01/15/10 40% DRAFT CONSTRUCTION SET  
Date: \_\_\_\_\_  
Project And Location: \_\_\_\_\_

PROJECT # 18254  
DRAWN BY: JCA  
CHECKED BY: GJS  
ORIGINAL DRAWING SIZE: 24" x 36"

SCALE: AS INDICATED







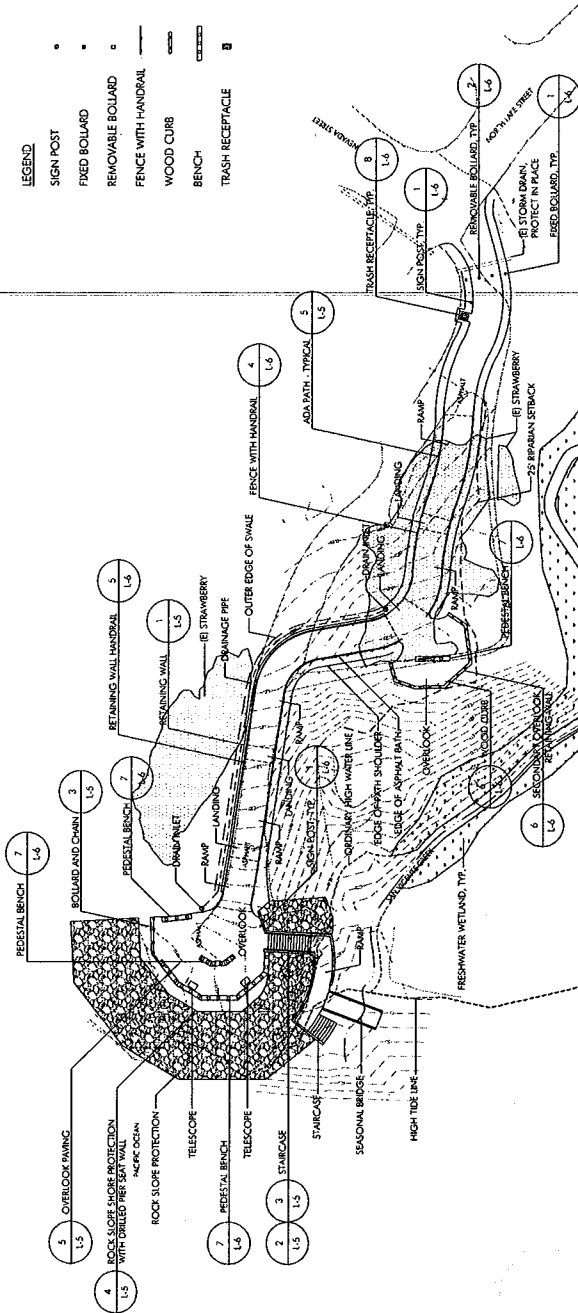
**ENVIRONMENTAL CONSULTANTS  
LANDSCAPE ARCHITECTS AND PLANNERS**  
2169-G East Francisco Blvd.  
San Rafael, CA 94901  
(415) 454-8868 Phone  
(415) 454-0129 Fax

**FITZGERALD  
MARINE RESERVE**  
BEACH ACCESS  
MOSS BEACH, CALIFORNIA

**BEACH ACCESS**  
**MOSS BEACH, CALIFORNIA**

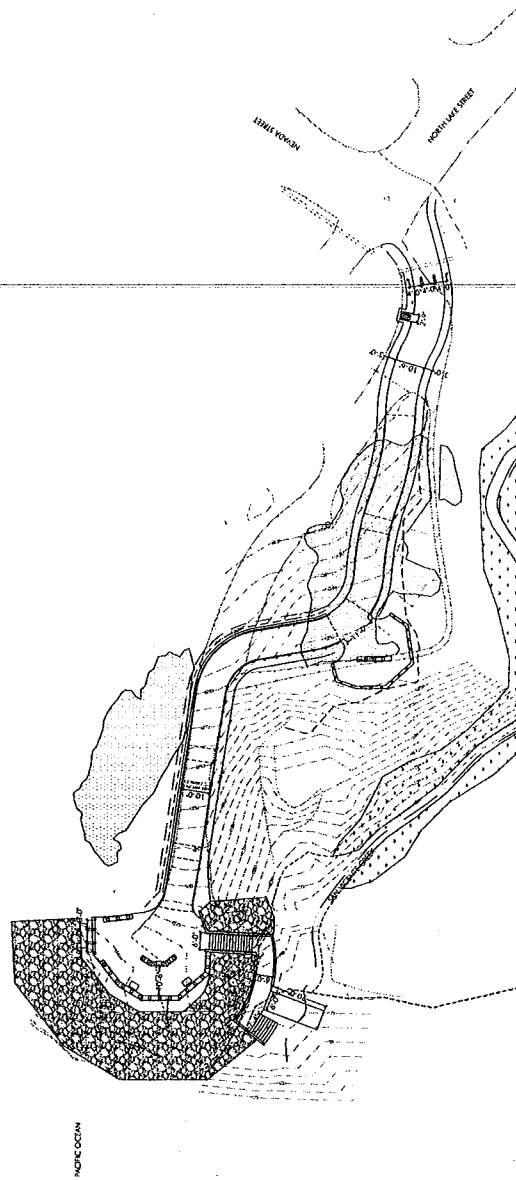
### LEGEND

- |                     |       |                          |
|---------------------|-------|--------------------------|
| SIGN POST           | •     | 25 RIPARIAN SETBACK LINE |
| FIXED BOLLARD       | ■     | HIGH TIDE LINE           |
| REMOVABLE BOLLARD   | □     | ORDINARY HIGH WATER LINE |
| FENCE WITH HANDRAIL | —     | (B) FRESHWATER WETLAND   |
| WOOD CURB           | ===== | (B) STRAWBERRY           |
| BENCH               | ===== |                          |
| TRASH RECEPTACLE    | Ⓢ     |                          |



## SITE PLAN

SCALE: 1" = 20'



## LAYOUT PLAN

SCALE: 1" = 20'

Date	Issues And Revisions	No.
01/15/10	60% DRAFT CONSTRUCTION SET	

PROJECT #18054  
DRAWN BY: KCM  
CHECKED BY: GJS  
ORIGINAL DRAWING

SCALE: 1" = 20'

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E

○

## SITE &

OUT PL

1

3.







**ENVIRONMENTAL CONSULTANTS  
LANDSCAPE ARCHITECTS AND PLANNERS**  
2169-G East Francisco Blvd.  
San Rafael, CA 94903  
(415) 454-3868 Phone  
(415) 454-0129 Fax

**FITZGERALD  
MARINE RESERVE**  
BEACH ACCESS  
MOSS BEACH, CALIFORNIA



### GRADING NOTES

1. THE GRADING PLANS INDICATE FINISHED GRADE ELEVATIONS. REFER TO THE GRADING DETAILS FOR SUBGRADE SPECIFICATIONS.
2. SAVANAGE TOPSOIL FROM ENTIRE AREA WITHIN THE LIMIT OF GRADING.
3. LOCATIONS OF STOCKPILE AREAS FOR TOPSOIL STORAGE AND HAUL ROADS SHALL BE DETERMINED BY THE WETLAND CONSULTANT.
4. NO GRADING SHALL OCCUR WITHIN THE DISRUPT OF EXISTING TREES TO REMAIN. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ANY DAMAGE TO EXISTING TREES.

### DRAINAGE LEGEND

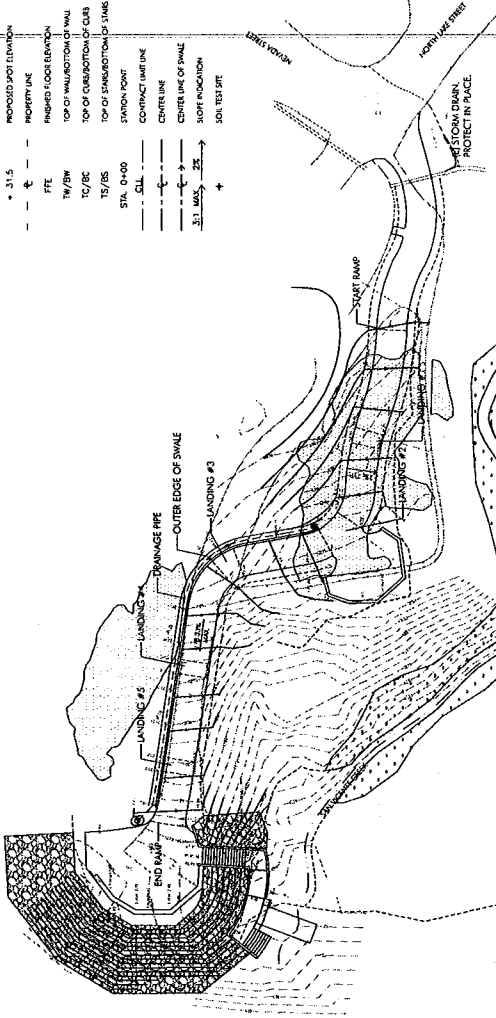
SYMBOL	DESCRIPTION
HPS	HIGH-POINT OF SWALE
HP/LP	HIGH-POINT/LOW-POINT
TF/E	TOP OF FRAME OR TIE ELEVATION
INV	INVERT ELEVATION
	PROPOSED CATCH-BASIN
	PROPOSED DRAIN INLET
	PROPOSED MAN-HOLE
	PROPOSED AREA DRAIN

### GENERAL LEGEND

SYMBOL	DESCRIPTION
---	25' RIPARIAN SETBACK LINE
---	HIGH TIDE LINE
---	ORDINARY HIGH WATER LINE
	FRESHWATER WETLAND
	STRAWBERRY

### GRADING LEGEND

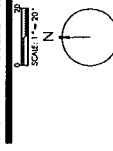
WAGES	DEFINITION LINE	DEFINITION LINE
— 31 —	MODIFIED CONTROL LINE	MODIFIED CONTROL LINE
— 31 —	GRADE BREAK	GRADE BREAK
— 31.5 —	EXISTING POST ELEVATION	EXISTING POST ELEVATION
— 31.5 —	PROPOSED POST ELEVATION	PROPOSED POST ELEVATION
— 31.5 —	MODIFY LINE	MODIFY LINE
— 31.5 —	HIGHEST POINT ELEVATION	HIGHEST POINT ELEVATION
— 31.5 —	TOP OF MAINTENANCE OF CURB	TOP OF MAINTENANCE OF CURB
— 31.5 —	TOP OF EXISTING/CONCRETE SLABS	TOP OF EXISTING/CONCRETE SLABS
— 31.5 —	STATION POST	STATION POST
— 31.5 —	CONTRACT LINE	CONTRACT LINE
— 31.5 —	CENTERLINE	CENTERLINE
— 31.5 —	CENTERLINE OF PAVE	CENTERLINE OF PAVE
— 31.5 —	SLO. 10% RPT	SLO. 10% RPT
— 31.5 —	SLO. 10% RPT	SLO. 10% RPT



1 GRADING PLAN  
SCALE: 1" = 20'

Date	Issues And Revisions	No.
01/15/10	60% DRAFT CONSTRUCTION SET	

PROJECT #18054  
DRAWN BY: KCM  
CHECKED BY: GJS  
ORIGINAL DRAWING



Grading &  
Erosion  
Control Plan  
Sheet

4

<sup>a</sup>  $\chi^2_{(9)} = 20.76$ ,  $p < .001$ ;  $\chi^2_{(8)} = 10.05$ ,  $p < .01$ .  $\chi^2_{(1)} = 1.00$ ,  $p > .05$ .

EROSION CONTROL PLAN WILL BE PROVIDED IN 90% SUBMITTAL

2  
EROSION CONTROL PLAN  
SCALE 1" = 20'

SCALE 1" = 20'

Date	Issues And Revisions	No.
01/15/10	60% DRAFT CONSTRUCTION SET	



TRASH RECEPTACLE

NOT TO SCALE

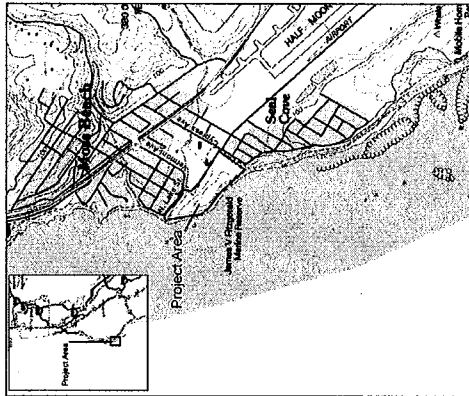
# FITZGERALD MARINE RESERVE COASTAL TRAIL

MOSS BEACH, CALIFORNIA

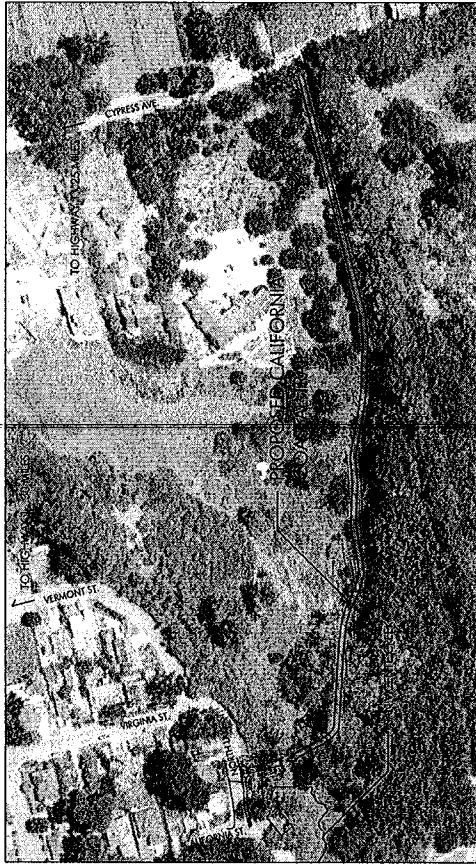
**WFO**  
WILSON & FORT  
ENGINEERS  
21852 East Francisco Blvd.  
San Rafael, CA 94903  
415.456.0000  
415.456.0279 Fax

**FITZGERALD  
MARINE RESERVE  
COASTAL TRAIL**  
MOSS BEACH, CALIFORNIA

LOCATION MAP



SITE MAP



SCALE: 1:100

## SHEET INDEX

- |   |     |                                       |
|---|-----|---------------------------------------|
| 1 | --- | SHEET INDEX                           |
| 2 | --- | EXISTING CONDITIONS & DEMOLITION PLAN |
| 3 | --- | SITE PLAN                             |
| 4 | --- | SITE DETAILS                          |
| 5 | --- | STRUCTURAL DETAILS                    |

## SHEET INDEX

Sheet

**L-1**

01/15/10 40% DRAFT CONSTRUCTION SET  
Date Issues And Revisions No.

PROJECT # 18054  
DESIGNED BY WFO  
CHECKED BY GIS  
ORIGINAL DRAWING SIZE 24 X 36

SCALE: AS INDICATED

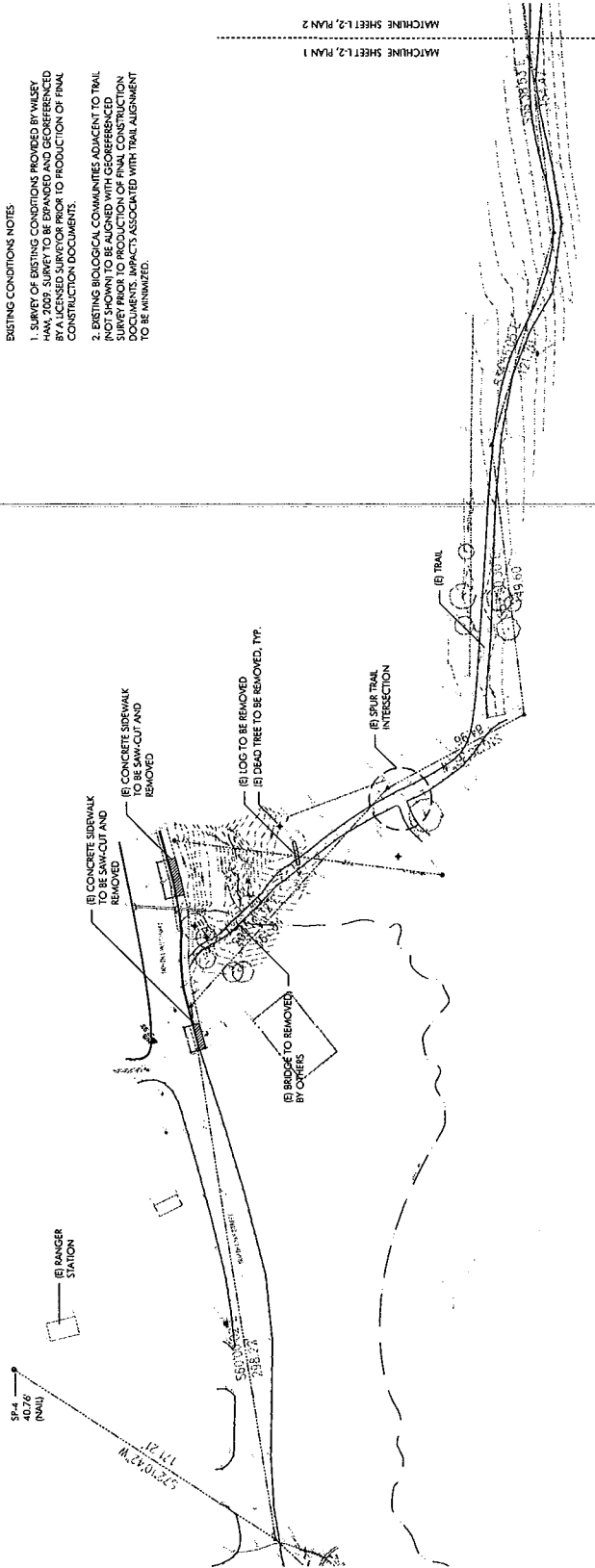


**ENVIRONMENTAL CONSULTANTS  
LANDSCAPE ARCHITECTS AND PLANNERS**  
2169-G East Francisco Blvd  
San Rafael, CA 94901  
(415) 454-8868 Phone  
(415) 454-0129 Fax

**FITZGERALD  
MARINE RESERVE**  
COASTAL TRAIL  
MOSS BEACH, CALIFORNIA

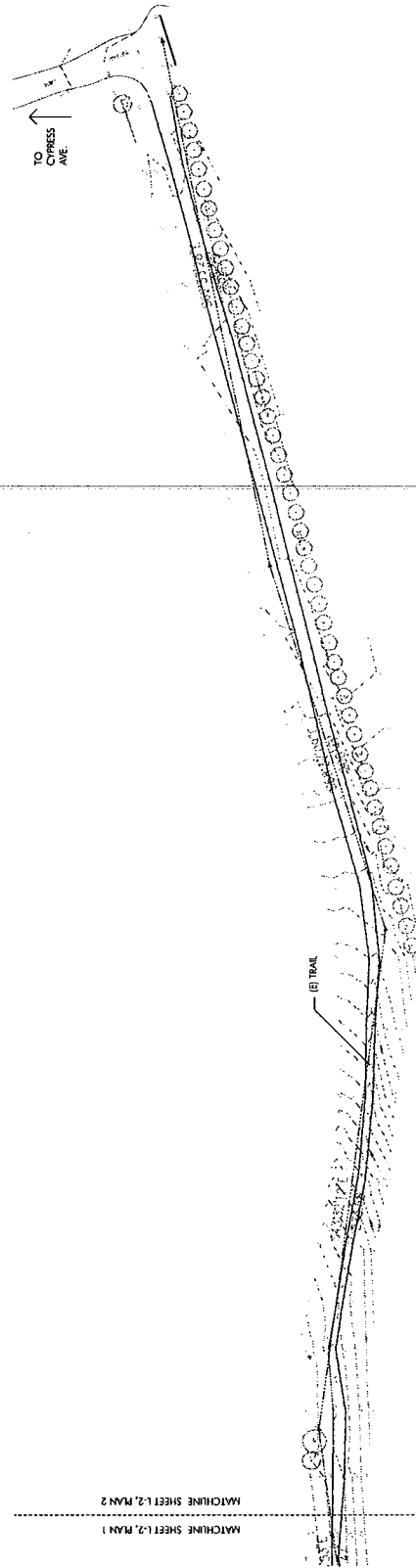
**EXISTING CONDITIONS NOTES:**

1. SURVEY OF EXISTING CONDITIONS PROVIDED BY WILSEY HAM, 2007. SURVEY TO BE EXPANDED AND GEOREFERENCED BY A LICENSED SURVEYOR PRIOR TO PRODUCTION OF FINAL CONSTRUCTION DOCUMENTS.
2. EXISTING BIOLOGICAL COMMUNITIES ADJACENT TO TRAIL (NOT SHOWN) TO BE ALIGNED WITH GEOREFERENCED SURVEY PRIOR TO PRODUCTION OF FINAL CONSTRUCTION DOCUMENTS. IMPACTS ASSOCIATED WITH TRAIL ALIGNMENT TO BE MINIMIZED.



## EXISTING CONDITIONS & DEMOLITION PLAN

SCALE 1" = 30'



## EXISTING CONDITIONS & DEMOLITION PLAN

SCALE 1" = 30'

Date	Issues And Revisions	No.
01/15/10	60% DRAFT CONSTRUCTION SET	

PROJECT # 18054  
DRAWN BY: MCB  
CHECKED BY: GJS  
ORIGINAL DRAWING

SCALE: AS INDICATED



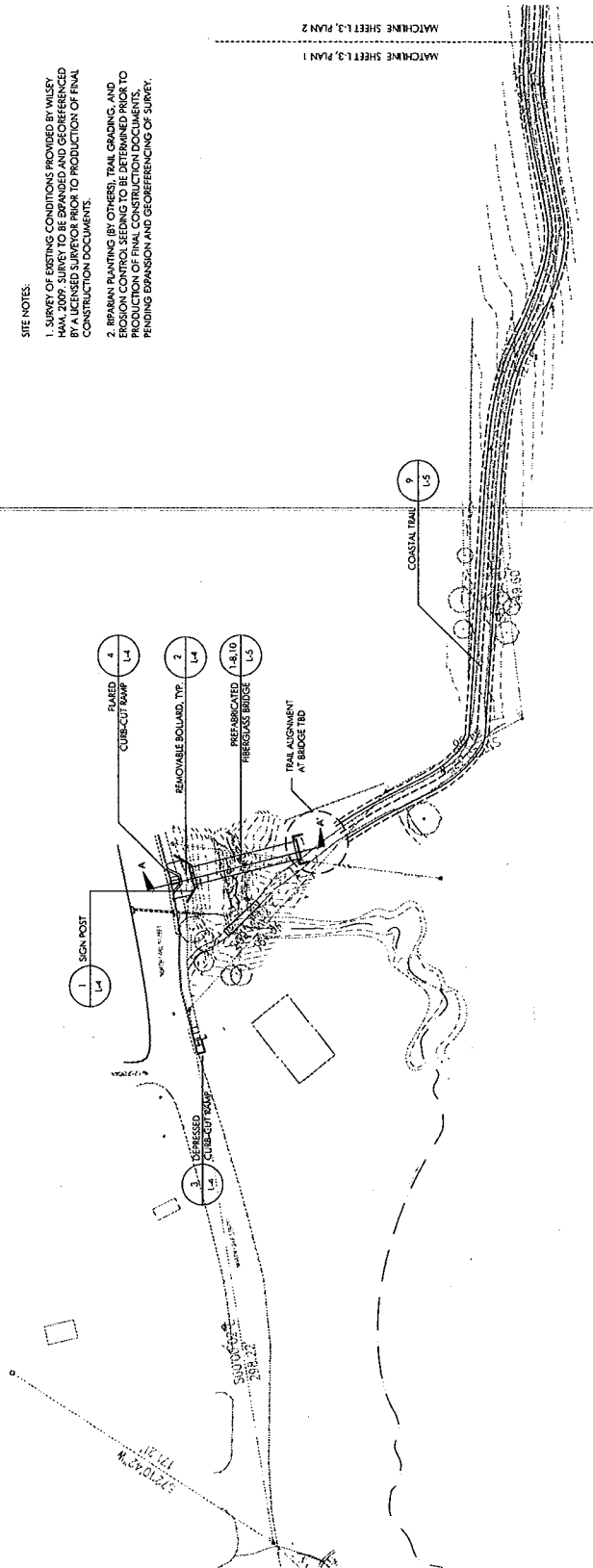
## EXISTING CONDITIONS & DEMOLITION PLAN

**L-2**

**FITZGERALD  
MARINE RESERVE**  
COASTAL TRAIL  
MOSS BEACH, CALIFORNIA

**SITE NOTES:**

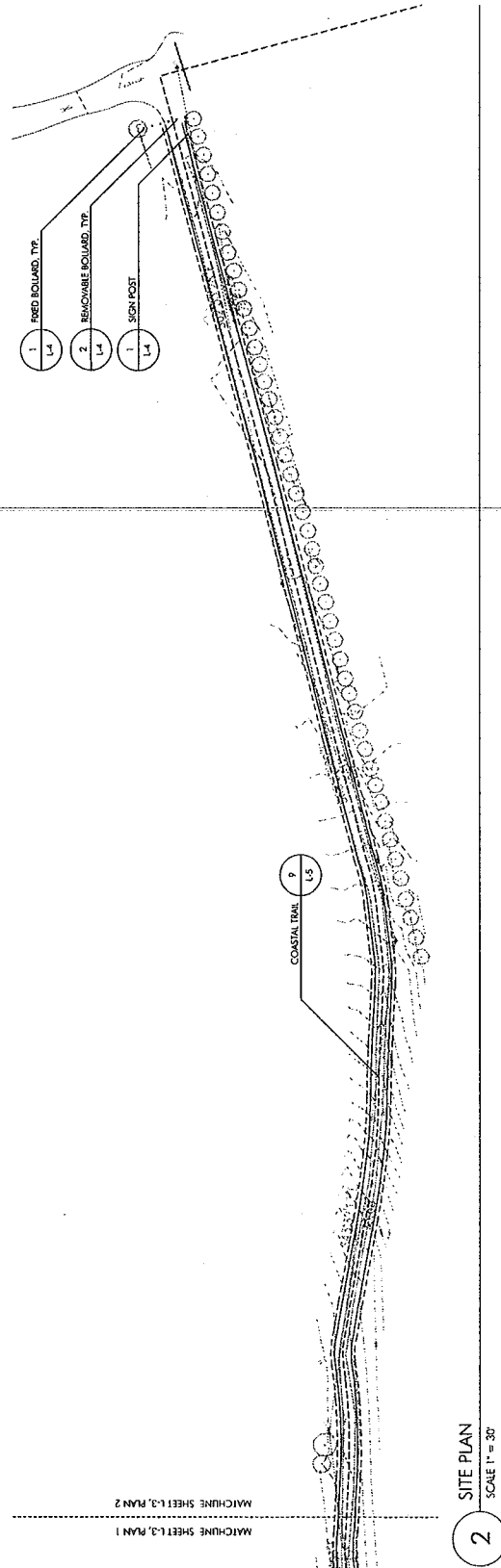
1. SURVEY OF EXISTING CONDITIONS PROVIDED BY WILSEY HAM, 2009. SURVEY TO BE EXPANDED AND GEOREFERENCED BY A LICENSED SURVEYOR PRIOR TO PRODUCTION OF FINAL CONSTRUCTION DOCUMENTS.
2. RIPARIAN PLANTING (BY OTHERS), TRAIL GRADING, AND EROSION CONTROL SEEDING TO BE DETERMINED PRIOR TO PRODUCTION OF FINAL CONSTRUCTION DOCUMENTS, PENDING EXPANSION AND GEOREFERENCING OF SURVEY.



1

SITE PLAN

SCALE 1" = 30'



2

SITE PLAN

SCALE 1" = 30'

Date	Issues And Revisions	No.
01/15/10	60% DRAFT CONSTRUCTION SET	

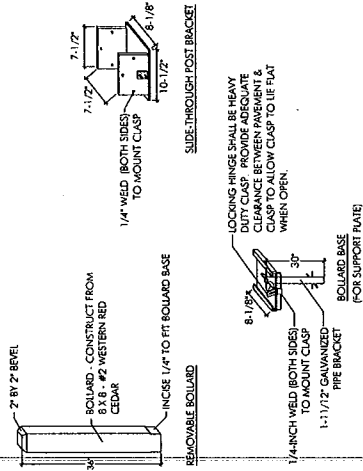
PROJECT #18054  
DRAWN BY: MCB  
CHECKED BY: GJS  
ORIGINAL DRAWING

**SCALE: AS INDICATED:**

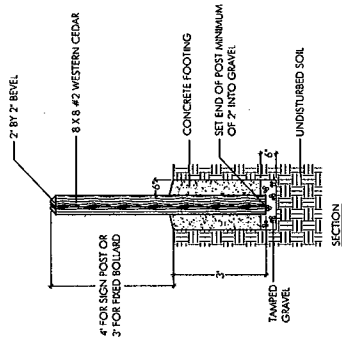


## SITE PLAN

3-



NOTES:  
1. ALL PLATE MATERIALS SHALL BE 3/8" GALVANIZED STEEL.  
2. BASE INSTALLATION: SET PIPE BASES IN A 12 INCH DIAMETER HOLE, 32 INCHES DEEP AND BACKFILL WITH CONCRETE. LOCK CLASP FACES THE STREET.  
3. FOR SLIDE THROUGH POST BRACKET, USE THREE 7/16 INCH HOLES FOR 2 1/6 INCH X 1 1/2 INCH STAINLESS STEEL MACHINE SCREWS AS SHOWN.



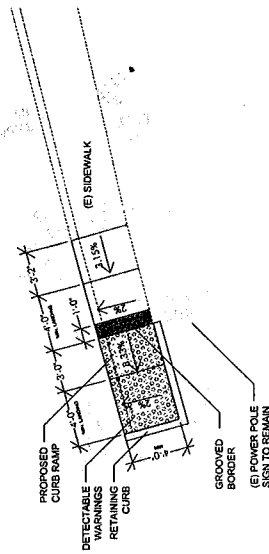
**NOTE: SIGN PROVIDED AND INSTALLED BY COUNTY.**

SIGN POST / FIXED BOLLARD

**NOT TO SCALE**

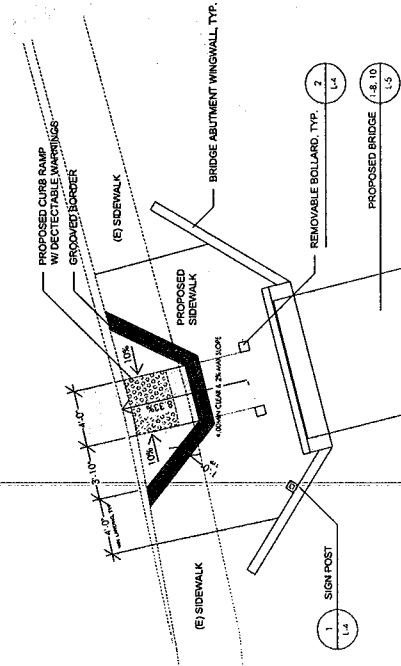
REMOVABLE BOLLARD

**NOT TO SCALE**



DEPRESSED CURB-CUT RAMP

SCALE: 1/4" = 1'-0"



FLARED CURB-CUT RAMP

SCALE: 1/4" = 1'-0"



Date	Issues And Remarks	No.
01/15/10	60% DRAFT CONSTRUCTION SET	

PROJECT #: 8054  
DRAWN BY: MCB  
CHECKED BY: GJS  
ORIGINAL DRAWING SIZE: 24 X 36  
SCALE: AS INDICATED

SCALE: AS INDICATED

## SITE DETAILS

Sheet

4

- © 2000 Blackwell Science Ltd *Journal of Internal Medicine* 247: 481–489

**COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT**

**DATE:** January 12, 2011

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Coastal Development Permit, pursuant to Section 6328.4 of the County Zoning Regulations, to allow coastal trail public access improvements located within the Fitzgerald Marine Reserve, and certification of a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act. The project site is adjacent to North Lake Street and Cypress Avenue in the unincorporated Moss Beach area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2010-00093 (County Parks Department)

**PROPOSAL**

The San Mateo County Parks Department is proposing public access improvements within the Fitzgerald Marine Reserve. The improvements are comprised of two components: the Coastal Trail (Dardennelle Trail) and certain beach access improvements. A separate Coastal Development Permit will be processed for the beach access improvements at a later time. Since the circulation of the Mitigated Negative Declaration on July 1, 2010, the project has been revised to propose a pervious trail surface and narrow trail and bridge.

Within the Fitzgerald Marine Reserve project area are San Vicente Creek, sensitive habitats, riparian vegetation and wetlands, an archaeology site and the Seal Cove Fault. The trail improvements will run from the Reserve boundary at Cypress Avenue moving north and eastward to a point on North Lake Street (between California and Virginia Streets) and include the following:

1. Removal of an existing temporary pedestrian bridge across San Vicente Creek.
2. Construction of an ADA compliant trail in the location of the existing unimproved trail (a small portion of which will be realigned). The proposal has been modified from the originally proposed 10-foot wide asphalt surface with 2-foot wide aggregate shoulders, to an 8-foot wide Gravelpave<sup>2</sup> (pervious) trail with a 2-foot unimproved shoulder (downhill side) and a 1-foot unimproved shoulder (uphill side).

3. A 60-foot long by 8'-4" wide (modified from 12 feet wide) prefabricated fiberglass clear span bridge relocated approximately 30 feet upstream of the removed temporary bridge.
4. Two sidewalk curb-cut ramps along the North Lake Street entrance to the trail.
5. Removable bollards on the trail at both ends and fixed bollards adjacent to the trail at Cypress Avenue.
6. Interpretative signs.
7. Rest area near the Cypress Avenue entrance (5-foot wide by 28 feet long Gravelpave<sup>2</sup> landing with County bench, ADA area, and trash receptacle).
8. Tree Removal: one 40-inch d.b.h. cypress, three dead cypress (44", 46" and 58" d.b.h.) and possible removal of four trees (40" d.b.h. cypress, 48", 40" and 40" d.b.h. eucalyptus) based on an in field evaluation following grading activities.
9. Grading includes: 287 cubic yards of cut, 345 cubic yards of over-excavation (for imported base and surface materials) and 262 cubic yards of fill.

In 1997, the County applied for a Coastal Development Permit for the relocation of this bridge (CDP97-0063). This permit was included in the Local Coastal Program Provisional Appendix for "In-Progress Development Proposals Not Affected by the LCP Amendments Certified by the Coastal Commission on April 29, 1998." Since there are currently two pending CDPs for relocation of the same bridge, the 1997 permit has been consolidated into the 2010 CDP for ease of processing. That said, previous versions of amended LCP policies are not applicable to this project proposal as it related to the bridge relocation.

### **RECOMMENDATION**

Approve the Coastal Development Permit, County File Number PLN 2010-00093, and certify the Mitigated Negative Declaration, by adopting the required findings and conditions of approval identified in Attachment A.

### **BACKGROUND**

Report Prepared By: Melissa Ross, Project Planner, Telephone 650/599-1559

Applicant/Owner: San Mateo County Parks Department

Location: Fitzgerald Marine Reserve (North Lake Street (between California and Virginia Streets) southward to Cypress Avenue).

Zoning: RM-CZ/DR/CD (Resource Management-Coastal Zone/Design Review/Coastal Development)



General Plan Designation: General Open Space

APNs: 037-103-110, 037-200-130, 037-101-260, 037-102-060 and 037-101-250

Flood Zone: Multiple Zones. Flood Zone A2 (areas of 100-year flood, base flood elevations and flood hazard factors determined), Zone V (areas of 100-year coastal flood with velocity (wave action)) and Zone C (areas of minimal flooding). FEMA Flood Map 060311 0094B; Effective July 5, 1984.

Existing Land Use: Unimproved trail and reserve.

Environmental Evaluation: Mitigated Negative Declaration posted July 1, 2010. Staff's response to comments received can be found in Section B, below.

Setting: The project site is located, at its closest point, approximately 0.3-mile west of Highway 1 and approximately 0.15-mile north of Half Moon Bay Airport. San Vicente Creek and the Seal Cove fault run through the project site. The project area contains an unimproved trail, sensitive habitats, riparian areas, wetlands, and an archaeology site.

## **DISCUSSION**

### **A. KEY ISSUES**

#### **1. Conformance with the County General Plan and Zoning Regulations**

Pursuant to Section 53091 of the California Government Code, projects undertaken by County departments, including the County Parks Department, are exempt from review under the County's General Plan and Zoning Regulations.

#### **2. Conformance with the Local Coastal Program**

A Coastal Development Permit is required pursuant to San Mateo County Local Coastal Program (LCP) Policy 2.1, which requires that government agencies wishing to undertake development in the Coastal Zone must comply with the California Coastal Act. Development includes all publicly financed recreational facilities (Policy 2.2). Staff has completed a Coastal Development Checklist for these projects. Based on this review, staff has summarized below the following sections of the LCP, which are relevant to this project:

##### **a. Locating and Planning New Development Component**

The Historic Property Survey Report, prepared by Basin Research Associates, concluded that one prehistoric archaeological site is located within the Reserve. The western portion of the new bridge and the portion of the trail proposed for realignment are located within the boundaries of the archaeological site. As required by Policy 1.24 (*Protection of Archaeological/Paleontological*

*Resources*), the Report outlines mitigation measures that, when implemented, will minimize ground disturbance resulting in a finding of no adverse effect. A protective cap (filter fabric on existing grade followed by a minimum 1-foot thick fill cap) and 2% crown-slope are proposed for the bridge and trail area. The bridge abutment will be installed using three 3-inch diameter “x-strong” galvanized pipe pilings; no footings will be placed below grade for this abutment. Additional conditions include a professional archaeologist to monitor all ground disturbance thereby within and around the recorded archaeological site.

b. Sensitive Habitats Component

The LCP defines sensitive habitats, outlines protections and permitted uses, and permit conditions for development within and adjacent to sensitive habitats (Policies 7.1 (*Definition of Sensitive Habitats*), 7.3 (*Protection of Sensitive Habitats*), 7.4 (*Permitted Uses in Sensitive Habitats*), and 7.5 (*Permit Conditions*)). Sensitive habitats include those that host specific plants or animal life, riparian corridors, and wetlands, which are discussed in their respective categories below.

Permitted uses within sensitive habitats include trails on public lands provided the development will not have a significant adverse impact on the sensitive habitat areas. Where significant impacts may occur, a qualified professional shall evaluate those impacts and recommend mitigation measures for incorporation into the project to reduce those impacts to a less than significant level.

The submitted Biological Resources Assessment, prepared by Tim DeGraff of WRA Environmental Consultants, has evaluated the 22.5-acre study area and the proposal for potential impacts to non-sensitive and sensitive plant and wildlife habitats and has recommend mitigation measures, which have been incorporated into the conditions of approval and will reduce potential significant impacts to a level that is less than significant.

*Sensitive Habitats*

The San Francisco garter snake (SFGS) and the California red-legged frog (CRLF) have occurrences of approximately 1.3 and 0.5 miles, respectively, of the study area. Since the study area is within both species’ dispersal range, based on these occurrences, there is the potential for San Vicente Creek to provide a habitat for these species. Policy 7.36 (*San Francisco Garter Snake*) requires analysis of potential or existing migration routes and use of appropriate mitigation measures as needed. Potential migration routes have been identified in the Assessment, along with mitigation measures. Conditions listed in Attachment A include general conditions (e.g., restricted site grading between May 1 and December 31 during the drier months and silt fencing) and conditions specific to SFGS and CRLF such as United States Fish and

Wildlife Service (USFWS) qualification verification of biologist(s), pre-construction personnel training for listed species and habitat, and on-site biological monitor(s).

Other special status wildlife have the potential to occur within and offshore of the study area. The study area may provide habitat for five bat species (e.g. Long-eared Myotis), the San Francisco dusky-footed woodrat, nine bird species (e.g. white-tailed kite), and the Monarch butterfly. Conditions have been included requiring pre-construction bat surveys, avoidance of stick houses (woodrat), and scheduling construction activities during the non-breeding season for nesting birds. Additionally, conditions have been included to minimize potential construction based acoustic impacts to the Pacific harbor seal (e.g., decibel levels below 160).

Due to the potential of SFGS and CRLF to occur within the study area, a Section 7 Biological Assessment (BA) has been completed in consultation with the USFWS. The resulting Determination of Effect concluded that the mitigation measures and input from USFWS will protect the SFGS and CRLF and that the project will not significantly impact other plant and wildlife species outlined in the BA. Mitigation measures included in the BA have been incorporated into the conditions of approval.

Throughout the project site are patches of California wild strawberry, which are protected within one-half mile of the coast (Policy 7.49 (*California Wild Strawberry*)). Trail improvements will temporarily impact 0.03-acre (approximately 1,306 sq. ft.) and permanently impact 0.03-acre (approximately 1,306 sq. ft.) of wild strawberry. The Biological Resource Assessment noted that ice plant will be removed and replanted with coastal wild strawberry. However, this mitigation measure assumed the beach access and trail improvements were occurring concurrently. For clarification to this mitigation measure, if no ice plant is found within the areas of the trail improvements, replanting of wild strawberry in a 1:1 ratio must occur in a suitable location as close as possible to the area of the removed wild strawberry.

#### *Riparian Corridors*

Trails on public lands are permitted uses within riparian corridors and riparian buffer zones (Policies 7.9 (*Permitted Uses in Riparian Corridors*) and 7.12 (*Permitted Uses in Buffer Zones*)) provided certain performance standards are observed (Policies 7.10 (*Performance Standards in Riparian Corridors*) and 7.13 (*Performance Standards in Buffer Zones*)). Performance standards include replanting with native plant species, conformance to natural topography to minimize erosion potential, and prevention of toxic substance discharge.

The installation of the clear span bridge will impact 0.004-acre (approximately 174 sq. ft.) of Central Coast arroyo willow non-wetland riparian forest, miti-

gated through restoration of the temporary bridge location with willow cuttings at a 2:1 ratio. Implementation of this measure will occur concurrently with the bridge installation and trail improvements and will result in a total of 0.008-acre (approximately 348 sq. ft.) of new riparian habitat.

Evaluation of habitat restoration will occur over a five-year period as scheduled in the Mitigation and Monitoring Plan.

### *Wetlands*

Wetlands are present in the San Vicente Creek area. However, no trail or bridge improvements are proposed within the wetlands. Public trails are permitted uses within wetland buffer zones provided there is no impact on the adjacent wetlands (Policies 7.18 (*Establishment of Buffer Zones*) and 7.19 (*Permitted Uses in Buffer Zones*)).

The limit of work for demolition of the temporary bridge, installation of the new bridge and trail improvements will occur more than 15 feet from the edge of the nearest identified wetland, but within that wetland's buffer zone. Construction fencing will be placed at the outer limit of the work area to prevent any potential intrusion of construction equipment into the wetland.

### c. Visual Resources Component

The LCP discusses locating new development in order to best preserve the visual and open space qualities of a parcel, minimize tree removal, and specifies replanting with native plant species (Policies 8.5 (*Location of Development*), 8.9 (*Trees*) and 8.10 (*Vegetative Cover*)). Furthermore, design criteria for the Montara-Moss Beach-El Granada Communities (Policy 8.13 (*Special Design Guidelines for Coastal Communities*)) provide guidelines to minimize grading and employ natural colors and materials.

The existing unimproved trail will be widened to provide a consistent 8-foot wide Gravelpave<sup>2</sup> path (Gravelpave<sup>2</sup> is a porous pavement that provides a pervious load-bearing surface and stormwater pollution filtration and treatment). Unimproved 2-foot (downhill side) and 1-foot (uphill side) shoulders will run parallel to the trail. Along the westernmost portion of the trail that parallels the line of Monterey cypress trees, fill will be deposited to establish a 2% drainage cross slope (out-sloping). Disturbed areas will be reseeded with a native erosion control seed mix. Utilizing the existing trail for improvements minimizes grading and retains the open quality of the parcel.

One living tree is proposed for removal in the proposed grading area and an additional four living trees will be individually evaluated in the field following grading activities to determine if those trees will present a public health and

safety concern. If not, those trees will remain. No cut (grading) will occur within the dripline to further minimize potential tree removal.

When development conflicts with retaining visual and open space qualities and the use of non-natural material (larger and new fiberglass bridge location), Policy 8.5 (*Location of Development*) allows for a resolution that, on balance, best preserves coastal resources. The archaeological site will be preserved with a protective cap and the riparian forest will be replanted in a 2:1 ratio. Willow cuttings will be replanted in the area of the removed bridge and adjacent to North Lake Street. Were a new bridge proposed in the same location as the existing temporary bridge, the long-term erosion pattern on the north side of the creek will likely threaten future bridge abutments at that location, necessitating the placement of rip-rap within the creek channel. It would also likely require the removal of three cypress trees to accommodate the bridge abutments as well as additional grading to allow for an ADA compliant approach to the north end of the bridge.

Due to the coastal environment (e.g., salt air), fiberglass has been chosen for the bridge material because of its strength characteristics, which are similar to steel, its ability to withstand harsh environments, and low maintenance. Conditions have been included in Attachment A that require the use of natural colors for the Gravelpave<sup>2</sup> grid and the E.T. Techtonics fiberglass bridge. The new bridge location and trail realignment will protect public safety, preserve an archaeological site, replace riparian forest habitat in a 2:1 ratio, and allow for public enjoyment of the coastal trail.

Additionally, Policy 8.6 (*Streams, Wetlands, and Estuaries*) further discusses prohibiting structural development that will adversely affect the visual quality of perennial streams except for those permitted by the Sensitive Habitats Component. San Vicente Creek is a perennial creek, and as stated in the above Sensitive Habitats Section, as conditioned, the project will not adversely affect the visual quality of the stream. On balance, the project, as proposed and mitigated, will best protect the resources within the project site.

d. Hazards Component

Both the Seal Cove fault and floodplain are present within the Reserve. San Vicente Creek is located within FEMA Zone A2 (areas of 100-year flood) where the base flood elevation occurs at 33.6 feet above mean sea level. The new bridge will be elevated 2 feet above the base flood elevation (Policy 9.9 (*Regulation of Development in Floodplains*)). Additionally, no structures intended for human habitation are proposed within the Seal Cove fault (Policy 9.3 (*Regulation of Geologic Hazard Areas*)).

e. Recreation/Visitor-Serving Facilities Component

These trail improvements are part of the 1,300 miles of California Coastal Trail (CCT). The purpose of the CCT is to provide a continuous public right-of-way along the California coastline for the preservation and appreciation of California's natural and cultural resources. The Coastal Conservancy in their January 2003 report "Completing the California Coastal Trail," outlined goals for the CCT that included providing a continuous trail to encourage public use and public access to wildlife areas. These improvements will aid in meeting the goals and purpose of the CCT.

Trail systems, categorized as Public Recreation Facilities (Policy 11.3 (*Definition of Public Recreation Facilities*)), designed to enhance coastal recreation are permitted uses within urban areas of the Coastal Zone (Policies 11.4 (*Recreation and Visitor-Serving Facilities Permitted in the Coastal Zone*) and 11.7 (*Urban Areas*)) provided no substantial impacts to sensitive habitats occur and the development is consistent with the Sensitive Habitats Component (Policy 11.12 (*Sensitive Habitats*)).

In conjunction with the Recreation/Visitor-Serving Facilities Component, LCP Appendix 11.A outlines standards and management guidelines for natural preserves by placing an emphasis on public facilities limited to those necessary for public health, safety and education.

As conditioned, the trail improvements will not adversely impact sensitive habitats, in compliance with the Sensitive Habitats Component, will enhance coastal recreation by providing an ADA accessible path, and allow for a 100-year flood flow to pass without impacting public safety. Interpretative signs will provide information on the surrounding sensitive habitats and aid in preservation through public awareness (Policy 11.14 (*Public Recreation Facilities*) and Appendix 11.A (*Natural Preserve*)).

These trail improvements will eventually be extended to the beach access improvements; linking a major shoreline to inland trails (Policy 11.13 (*Trails*)).

B. ENVIRONMENTAL REVIEW

An Initial Study and Mitigated Negative Declaration were prepared for this project and posted on July 1, 2010 with the public review ending on July 30, 2010 and subsequently extended to August 16, 2010 to allow additional time for public review. Since the posting, the project has been reduced in scope, resulting in a narrower bridge and pervious trail. Recirculation of the Mitigated Negative Declaration is not required because no new avoidable significant effect(s) are identified and no new mitigation measures or revisions are required (CEQA Section 15073.5).

Comments were received during the posting period. Below is a summary of the comments received followed by staff's response.

1. *The project is inconsistent with Policies 11.4 and 8.5(a)3. Trail and bridge widths (10' and 12') are too wide and materials other than asphalt need to be considered.*

The proposed bridge and trail improvements are located on the existing trail alignment and are permitted uses in sensitive habitats and buffer zones (e.g., riparian). The proposed trail width has been reduced to 8 feet (with 1- and 2-foot unimproved shoulders) and the proposed bridge width has been reduced to 8 feet. Gravelpave<sup>2</sup> is proposed in lieu of asphalt, which is pervious and provides stormwater filtration and treatment.

2. *Relocation of the bridge impacts riparian vegetation and an archaeology site. The bridge should remain in the same location.*

As discussed in Section 2.c, above, the long-term erosion pattern on the north bank of the creek will likely threaten future bridge abutments at that location in addition to increased grading and additional tree removal. Riparian vegetation removed to accommodate the new bridge location will be replaced in a 2:1 ratio in the location of the removed temporary bridge and adjacent to North Lake Street. The archaeology site will be preserved with a protective fill cap, minimally sized 3-inch "x-strong" galvanized pipe pilings will be used for the installation of the bridge abutment within the archaeology site boundary, and the trail will be crown-sloped instead of cross-sloped to minimize ground disturbance.

3. *What are the potential effects of sea level rise and erosion? Greenhouse Gas Emissions (GHG)/Climate Change?*

In consultation with San Mateo County Parks, staff has determined that San Vicente Creek is a perennial stream that runs along and near the northern border of the Project Area, crossing the property to the Pacific Ocean. Hydrology within the creek is primarily driven by direct precipitation, runoff from surrounding areas, and flow from the watershed associated with San Vicente Creek. The drainage supports dense riparian vegetation dominated by arroyo willow (*salix lasiolepis*). A clear span bridge will be installed across San Vicente Creek at the western end of the proposed portion of the California Coastal Trail; installation of the bridge will permanently impact 0.004-acre (approximately 174 sq. ft.) of riparian habitat. The clear span bridge will have foundations outside of the creek channel, and has been designed to be placed approximately 2 feet above the flood zone elevation of San Vicente Creek (at the bridge's lowest point on the north end) in conformance with the County's Flood Zone Ordinance. Rise in sea level is not expected to have any impact on the bridge itself due to its distance from the Pacific Ocean.

In a report prepared for the Pacific Institute by Phillip Williams & Associates (March 2009), the worse case scenario for sea level rise by 2050 (the expected life span of

this bridge) is 4.62 feet above current mean sea level. The bridge will be located at an average elevation approximately 37 feet above sea level. This study also indicates that under the worse case scenario, bluff erosion will potentially be on the order of 82 feet from present locations. The bridge location is over 600 feet from the mouth of the creek. The study is a general analysis of potential scenarios and not site specific to this location.

Installation of a multi-use ADA accessible trail from North Lake Street to Cypress Avenue will provide non-vehicular access for mobility impaired trail users who may otherwise need to drive out onto Highway 1, in order to get from one end of the Reserve to the other. While this trail is intended to be a segment of the larger Statewide Coastal Trail, the majority of users are located within the surrounding neighborhoods and will access the trail on foot. It is anticipated that the GHG emissions generated during construction will be negligible due to the limited scope of work. A limited number of gasoline/diesel powered vehicles/equipment will be utilized for the project. A significant amount of work will be done by hand because of the close proximity of archaeological and sensitive biotic resources.

4. *Measures should be taken to protect the natural resources before encouraging additional traffic.*

Trail improvements provide an opportunity to preserve an archaeology site, install a safe and ADA compliant bridge and trail, while promoting public awareness of the sensitive environment through the use of interpretative signs. The combination of improvements and public awareness will further protect natural resources. The current dirt trail is highly susceptible to erosion from existing pedestrian and bicycle users residing in the area. Because of the existing topography of the site, some amount of erosion off of this trail makes its way toward the creek and wetland areas on the adjacent Dardanelle property. Paving of this trail will reduce the level of erosion.

## **ATTACHMENTS**

In an effort to reduce paper waste, Attachments D through G can be found on the San Mateo County Planning and Building Department website at: [www.co.sanmateo.ca.us/planning](http://www.co.sanmateo.ca.us/planning).

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Trail Improvement Plans
- D. Biological Resources Assessment
- E. Section 7 Biological Assessment
- F. Wetland Delineation Report
- G. Mitigation and Monitoring Plan
- H. Initial Study and Mitigated Negative Declaration

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County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2010-00093

Hearing Date: January 12, 2011

Prepared By: Melissa Ross, Project Planner

For Adoption By: Planning Commission

**RECOMMENDED FINDINGS**

Regarding the Environmental Review, Find:

1. That the Mitigated Negative Declaration is complete, correct and adequate, and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines.
2. That, on the basis of the Initial Study and comments hereto, there is no evidence that the project, subject to the mitigation measures contained in the Mitigated Negative Declaration, will have a significant effect on the environment.
3. That the Mitigated Negative Declaration reflects the independent judgment of San Mateo County.
4. That the mitigation measures identified in the Mitigated Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated in to the Mitigation and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

Regarding the Coastal Development Permit, Find:

5. That the project, as described in the application and accompanying materials required by Section 6328.7 of the San Mateo County Zoning Regulations and as conditioned in accordance with Section 6328.14 of the San Mateo County Zoning Regulations, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program as discussed in the staff report.
6. Where the project is located between the nearest public road and the sea, that the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code).

7. That the project conforms to the specific findings required by policies of the San Mateo County LCP. As discussed in the staff report under Section A.2, the applicant has agreed to implement the mitigation measures identified in the biological report in order to minimize any potential impact to biological resources to a less than significant impact.

## **RECOMMENDED CONDITIONS OF APPROVAL**

### **Current Planning Section**

1. This approval applies only to the proposal, documents and plans described in this report and submitted to and approved by the Planning Commission at its January 12, 2011 meeting. Minor revisions or modifications to this project may be made subject to the review and approval of the Community Development Director.
2. Prior to the beginning of grading and construction activities, the applicant shall submit to the Planning Department for review and approval, an erosion and drainage control plan which shows how the transport and discharge of soil and pollutants from the project site will be minimized. The goal is to prevent sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program “General Construction and Site Supervision Guidelines,” including:
  - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
  - b. Removing spoils promptly, and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
  - c. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to a local storm drain system or water body.
  - d. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.

The approved erosion and drainage control plan shall be implemented prior to the beginning of grading activities.

3. This permit shall be valid for one year in which time, the applicant shall commence construction. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable permit extension fees.
4. Bats. If construction will occur during the bats maternity roosting season (defined as: April 1 through August 31), then the applicant shall perform pre-construction surveys for bats. Surveys shall be conducted by a qualified biologist no less than 14 days prior to removal of trees, snags or buildings within the Study Area. Ultrasonic acoustic surveys

and/or other site appropriate survey methods shall be performed to determine the presence or absence of bats utilizing the Study Area as roosting or foraging habitat. If special status bat species are detected during surveys, appropriate species and roost specific mitigation measures shall be developed. Such measures may include postponing removal of trees, snags or structures until the end of the maternity roosting season or construction of species appropriate roosting habitat within, or adjacent to the Study Area.

Trees, snags and buildings may be removed outside of the maternity roosting season without performing pre-construction bat surveys. However, if buildings are to be demolished, internal entrance surveys shall be performed by a qualified bat biologist no less than 14 days prior to demolition to determine if buildings currently or previously support roosting bats. If bats are determined to be present, appropriate methods shall be used to exclude bats from the building. Such methods may include installation of one way "valves" to allow bats to exit, but not allow them to re-enter the building. Species and roost appropriate mitigation measures shall be developed based on the results of the survey in consultation with the California Department of Fish and Game (CDFG).

5. Dusky-footed woodrat. Construction activities have the potential to impact the San Francisco dusky-footed woodrat if the stick houses of this species are observed within or near areas where disturbance is to take place.

If stick houses are observed, they shall be avoided if possible. If avoidance is not feasible, the houses shall be dismantled by hand under the supervision of a biologist. If young are encountered during the dismantling process, the material shall be placed back on the house and the house will remain unmolested for two to three weeks in order to give the young enough time to mature and leave the house. After two to three weeks, the nest dismantling process may begin again. Nest material will be moved to suitable adjacent areas (riparian, woodland, scrub) that will not be impacted.

6. Pacific harbor seal. The Pacific harbor seal is known to haul out offshore of the Study Area. Construction activities in the Study Area may have the potential to impact this species through acoustic or visual disturbance.

Visual and acoustic disturbance during construction may affect the behavior of the Pacific harbor seal. Construction noise levels shall be kept lower than 160 decibels - the limit recommended by the National Marine Fisheries Service (NMFS) for the protection of marine mammals. The applicant shall coordinate with NMFS for the issuance of a marine mammal Incidental Harassment Authorization Permit or Letter of Concurrence for potential disturbances to the seals, if NMFS determines that one is necessary.

7. Birds. Nesting birds, including a number of special status birds, may be impacted if construction activities occur in or near potential breeding habitat (aquatic and upland vegetation) during the breeding season from February through August.

If possible, the clearing of vegetation and the initiation of construction shall be done in the non-breeding season between September and January. If these activities cannot be done in

the non-breeding season, a qualified biologist shall perform pre-construction breeding bird surveys within 14 days of the onset of construction or clearing of vegetation. If nesting birds are discovered in the vicinity of planned construction, a buffer area around the nest will be established until the nest is vacated. The size of the buffer would be dependent on the habitat, level of disturbance and the particular species of nesting bird.

8. California red-legged frog and San Francisco garter snake. Upland dispersal, foraging and estivation habitat for California red-legged frog (CRLF) and San Francisco garter snake (SFGS) may be impacted by the proposed project.
  - a. Prior to the start of groundbreaking activities, all construction personnel will receive training on listed species and their habitats by a USFWS-approved biologist. The importance of these species and their habitat will be described to all employees as well as the minimization and avoidance measures that are to be implemented as part of the project. An educational brochure containing color photographs of all listed species in the work area(s) will be distributed to all employees working within the project site(s). The original list of employees who attend the training sessions will be maintained by the applicant and be made available for review by the USFWS upon request.
  - b. Wildlife exclusion fencing will be erected and maintained around the perimeter of the project and project staging areas to prevent SFGS and CRLF from entering the site. Installation of the fence will be performed under the supervision of a USFWS-approved biologist. Once the fencing is installed, workers will clear all vegetation within this area with belt driven weed whackers or other hand tools to a height of 4-6 inches. Following the removal of vegetation, pre-construction surveys will be performed prior to the start of any groundbreaking activities by a USFWS-approved biologist. Fencing will be equipped with one-way escape funnels. Fencing will extend a minimum of 36 inches above ground level and will be buried 4-6 inches into the ground. Exclusion fencing will be checked a minimum of one time per week by biological monitors for the duration of the project to identify problems or weaknesses in fence integrity and function. All compromised portions will be repaired and/or replaced immediately. Upon completion of the project, all fencing material will be removed from the site and disposed of properly.
  - c. A USFWS-approved biologist shall be present at the work site until such time as all removal of CRLF and/or SFGS, instruction of workers, and habitat disturbance have been completed. After this time, the contractor or permittee shall designate a person to monitor on-site compliance with all minimization measures. The USFWS-approved biologist shall ensure that this individual (on-site biological monitor) receives training outlined (above) under Section (a) and in the identification of CRLF and SFGS. The on-site biological monitor and the USFWS-approved biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the Corps and USFWS during review of the proposed action. If work is stopped, the Corps and USFWS shall be notified immediately by the USFWS-approved biologist or on-site biological monitor.

- d. The on-site biological monitor(s) will remain on-site for the duration of the proposed project, including vegetation removal, grading and cleanup activities. If a CRLF or SFGS is observed at any time, the on-site biological monitor will have the authority to halt work on the project site until these animals are no longer within the work area. If construction activities are occurring at more than one location at a time, each area must have a minimum of one on-site biological monitor present to increase the likelihood that listed species are detected.
- e. Tightly woven fiber netting or similar material shall be used for erosion control or other purposes at the project to ensure that the CRLF and SFGS do not get trapped. This limitation will be communicated to the contractor. Plastic mono-filament netting (erosion control matting), rolled erosion control products or similar material shall not be used at the project site because red-legged frog, garter snake, and other species may become entangled or trapped in it.
- f. Because CRLF and SFGS may take refuge in cavity-like and den-like structures such as pipes and may enter stored pipes and become trapped, all construction pipes, culverts, or similar structures that are stored at a construction site for one or more overnight periods will be either securely capped prior to storage or thoroughly inspected by the on-site biologist and/or the construction foreman/manager for these animals before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a red-legged frog is discovered inside a pipe by the on-site biologist or anyone else, the on-site biologist shall move the animal to a safe nearby location and monitor it until it is determined that it is not imperiled by predators or other dangers. If a SFGS is found, it should be allowed to passively leave the work area on its own, as determined by the on-site biologist, or moved by a SFGS permitted biologist with permission from USFWS and CDFG.
- g. To prevent inadvertent entrapment of CRLF and SFGS during construction, the on-site biologist and/or construction foreman/manager shall ensure that all excavated, steep-walled holes or trenches, more than 1-foot deep, are completely covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks and inspected by the on-site biologist. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals by the on-site biologist and/or construction foreman/manager. If at any time a trapped CRLF or SFGS is discovered by the on-site biologist or anyone else, it should be allowed to passively leave the work area on its own, as determined by the on-site biologist, or moved by a SFGS permitted biologist with permission from USFWS and CDFG.

9. California Red-Legged Frog Specific Conditions

- a. Pre-construction surveys for the CRLF will be performed by USFWS-approved biologists throughout the action area immediately prior to groundbreaking activities. If a CRLF is observed, a USFWS-approved biologist will remove these individuals to locations outside of the work area but within the greater property boundary.

Red-legged frogs will not be removed from the vicinity or remain in captivity over night unless in the care of a certified wildlife veterinarian.

- b. Under no circumstances will mosquito fish (*Gambusia affinis*) be introduced at any location within the Study Area. If pesticide application for mosquito abatement becomes necessary, the applicant will contact the USFWS and the San Mateo Mosquito Abatement District for further guidance.
- c. Upon completion of the construction and rehabilitation phases of the proposed project, the applicant will monitor the property regularly and according to a USFWS-approved monitoring plan to ensure the successful establishment of native plants in all restored areas. Any plant species observed in these areas determined to be invasive will be removed.
- d. Because dusk and dawn are often the times when CRLF are most actively foraging and dispersing, all construction activities should cease one-half hour before sunset and should not begin prior to one-half hour before sunrise.

10. San Francisco Garter Snake Specific Conditions

- a. Pre-construction surveys for the SFGS will be performed by USFWS-approved biologists throughout the action area immediately prior to groundbreaking activities. If at any time during the survey, vegetation removal, or construction phases of the proposed project a SFGS is observed within the action area, the animal will be allowed to passively leave the work area unless in circumstances where the animal is determined to be trapped as discussed above.
- b. All vegetation removed during trail construction activities will remain on-site upon completion of trail development. A portion of this vegetation will be utilized to facilitate the rehabilitation of the existing unofficial trails. The remainder of the removed vegetation will be bundled into small piles and placed near on-site aquatic areas to provide cover for local SFGS.

11. Monarch butterfly. The monarch butterfly may be impacted if construction activities disturb occupied over wintering roost habitat in the Study Area.

If possible, any necessary tree removal for this project shall be scheduled between March and September. If construction activities or vegetation removal must occur during the winter, from October through February, then a monarch winter roost survey shall be required. Detection of a roost will require consultation with CDFG.

12. The applicant shall compensate for impacts to the Central Coast arroyo willow riparian habitat by replacing non-native vegetation with riparian plantings at a 2:1 ratio of restored riparian to impacted area. To mitigate for impacts to riparian habitat at the location of the proposed clear span bridge across San Vicente Creek, an adjacent area on the north side of the creek will be planted with willow cuttings, and nearby areas colonized by invasive

species will be replanted with riparian plant species. Planting activities will take place concurrently with trail improvements and bridge installation. To ensure optimal survival and establishment, plantings will be installed in the fall before the onset of the rainy season. This compensation shall be documented through the submittal of a mitigation planting plan, which shall include final success criteria, implementation measures, maintenance and monitoring plan.

13. All best management practices prescribed by the San Mateo County Planning Department for work within sensitive habitat areas will be implemented to the full extent.
14. Designated construction staging areas will be utilized as the staging areas for the trail and bridge construction activities. All vehicles associated with project activities will be clustered within these areas at the end of each workday or when not in use to minimize habitat disturbance and water quality degradation. Before vehicles move from the staging areas at the start of each workday or before they return to this location at the end of each workday, the on-site biological monitor will check under the vehicles and their tires to ensure no listed species are utilizing the equipment as temporary shelter.
15. No lighting will be incorporated at any location into the project design.
16. To discourage recreational users from leaving designated trails, interpretive signs describing the sensitivity of the habitat and how to utilize the property in an ecologically sensitive manner will be placed at trailheads and wetlands adjacent to enhanced trails. If rehabilitated trails show continued signs of usage, the applicant will implement additional preventative measures, such as the installation of additional signage or fencing. Trailhead signs will also describe the importance of prohibitions on unrestrained domestic pets and the associated fines for violating these laws.
17. No trash shall be deposited on the site during construction activities. All trash shall be placed in trash receptacles with secure lids or stored in vehicles.
18. Fueling and maintenance of equipment will be conducted off-site and at least 50 feet from any wetland.
19. Permanent and temporary disturbances and other types of project-related disturbance to the habitats of the garter snake shall be minimized to the maximum extent practicable. To minimize temporary disturbances, all project-related vehicle traffic shall be restricted to established roads, construction areas, and other designated areas. These areas should be established in locations disturbed by previous activities to prevent further adverse effects.
20. The applicant shall compensate for impacts to California wild strawberry by replacing ice plant with native strawberry at a 1:1 ratio of planted strawberry habitat to impacted area. California wild strawberry will be planted in areas currently dominated by ice plant that are adjacent to those locations where impacts to existing strawberry are proposed. If no ice plant is found within the areas of the trail improvements, replanting of wild strawberry in a 1:1 ratio shall occur in a suitable location as close as possible to the area of the removed

wild strawberry. Temporary impacted areas of California strawberry as a result of project activities will be replanted and returned to pre-construction conditions. California wild strawberry planting activities will take place concurrently with trail improvements. To ensure optimal survival and establishment, plantings will be installed in the fall before the onset of the rainy season. This compensation shall be documented through the submittal of a mitigation planting plan, which shall include final success criteria, implementation measures, maintenance and monitoring plan.

21. The applicant shall implement the following dust control measures during grading and construction activities:
  - a. Water all active construction and grading areas at least twice daily.
  - b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
  - c. Pave, apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at the project site.
  - d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
  - e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
22. Noise levels produced by proposed construction activities shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.
23. The proposed pedestrian bridge shall be supported by a concrete abutment that will be constructed at or above existing grade on the south bank of San Vicente Creek. The abutment shall be supported by three 3-inch diameter metal pilings, which shall be installed to a depth (> 37 feet) that will contact bedrock.
  - a. Pilings shall be installed using a small vibratory hammer mounted on small rubber tired or tracked Bobcat or equivalent equipment.
  - b. Heavy equipment shall be rubber tired or rubber tracked and of the smallest size necessary to complete any earthwork.
  - c. Pilings shall be placed within the smallest area possible subject to ground disturbance near the creek edge.
  - d. Any area, within the archaeological site or immediately adjacent to the recorded site boundary, subject to disturbance by workers or equipment, shall be protected by



installing straw layer/wood mats on the surface prior to work. The straw layer/wood mats shall be placed by hand and removed by hand to avoid surface disturbance.

24. A segment of the California Coastal Trail is present within the archaeological resource. The segment shall be installed above the existing grade in order to minimize disturbances to the ground surface.
- a. Engineered fill shall be placed over the ground surface in the locations of the trail in order to protect the archaeological site. The fill shall have a minimum depth of 12 inches and may increase in thickness to approximately 24 inches at the south bridge abutment.
  - b. A permeable geo-textile fabric will be installed on top of the undisturbed ground surface and underneath the engineered fill to mark the location of the undisturbed ground surface. Standard installation methods for the trail within the archaeological site shall:
  - c. Omit compaction of sub-grade;
  - d. Place fill soils for the protective cap in 4-inch lifts; and,
  - e. Compact with static smooth drum roller instead of vibratory compaction.
  - f. Any area, within the archaeological site or immediately adjacent to the recorded site boundary, subject to disturbance by workers or equipment, shall be protected by installing straw layer/wood mats on the surface prior to work. The straw layer/wood mats shall be placed by hand and removed by hand to avoid surface disturbance.
  - g. Heavy equipment shall be rubber tired or rubber tracked and of the smallest size necessary to complete any earthwork.
  - h. Hand construction of the trail within the archaeological site boundary shall be utilized wherever practical to minimize mechanical damage.
  - i. Fill material shall be brought to the project area via the existing unimproved trail that is accessed from Cypress Avenue. No improvements shall be made to the trail.
  - j. Heavy equipment and temporary fill stockpiles shall be prohibited within or adjacent to the recorded archaeological site boundary. The “no-go” zones along trail alignment within site boundary shall be marked during construction. Install barrier fencing to confine equipment and construction traffic to trail within site boundary.
  - k. Temporary fill stockpiles may be placed along the existing trail if they are more than 25 feet from the recorded site boundary.

- l. Fill shall be transferred from stockpile areas to areas within the archaeological site by hand whenever possible or using equipment if the pressure applied by the combined weight of the equipment and fill shall not cause compaction of the ground surface within the site (Note: applied pressure shall not exceed 15 pounds per square inch). Only rubber tire or rubber track equipment shall be used. All ground disturbing construction or construction with the potential for native soil ground disturbance within or within 50 feet of the recorded site boundary of CA-SMA-133 shall be monitored by a professional archaeologist meeting the Secretary of the Interior's standards.
  - m. Archaeological monitor shall have the authority to temporarily halt any ground disturbing construction to identify and evaluate any archaeological materials inadvertently exposed during construction. The exposure of significant resources could result in the development of a treatment program including scientific removal, analysis and reporting. The exposure of any Native American burials shall be handled in accordance with state law.
25. The applicant shall submit colors for the E.T. Techtonics fiberglass bridge for review and approval by the Current Planning Section prior to installation. Color(s) shall blend with the surrounding vegetation. Any color or materials, additions, or modifications of the approved color are subject to review and approval by the Community Development Director prior to installation.
  26. The applicant shall install a GravelPave<sup>2</sup> system for the trail improvements. Colors shall blend with the surrounding environment. Colors shall be reviewed for approval by the Current Planning Section. Any color or materials, additions, or modifications are subject to review and approval by the Community Development Director prior to installation.
  27. No additional trees beyond those notated in this staff report shall be removed. Removal of any tree with a diameter equal to or greater than 12 inches as measures 4.5 feet above the ground shall require a separate tree removal permit.

MR:pac - MARU0957\_WPU.DOC



## County of San Mateo

### Planning & Building Department

455 County Center, 2nd Floor  
Redwood City, California 94063  
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122  
plngbldg@co.sanmateo.ca.us  
www.co.sanmateo.ca.us/planning

January 14, 2011

Golden Gate National Recreation Area  
Attn: Paul Batlan, Realty Specialist  
Fort Mason, Building 201  
San Francisco, CA 94123

San Mateo County Parks Department  
Attn: Sam Herzberg  
455 County Center, 4<sup>th</sup> Floor  
Redwood City, CA 94063

San Mateo County Parks Department  
Attn: Gary Lockman  
455 County Center, 4<sup>th</sup> Floor  
Redwood City, CA 94063

Subject: Letter of Decision  
File Number: PLN2010-00093  
Applicant: County of San Mateo Parks Department  
Location: Fitzgerald Marine Reserve, Moss Beach

On January 12, 2011, the San Mateo County Planning Commission considered a Coastal Development Permit, pursuant to Section 6328.4 of the County Zoning Regulations, to allow coastal trail public access improvements located within the Fitzgerald Marine Reserve, and certification of a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act (CEQA). The project site is adjacent to North Lake Street and Cypress Avenue in the unincorporated Moss Beach area of San Mateo County.

***Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the project with modified conditions as submitted by Lennie Roberts, Committee for Green Foothills, during the hearing. The modified conditions are included in Attachment A and are identified with an asterisk (\*); Condition 29 was added and Condition 26 was modified by the Commission during the hearing.***

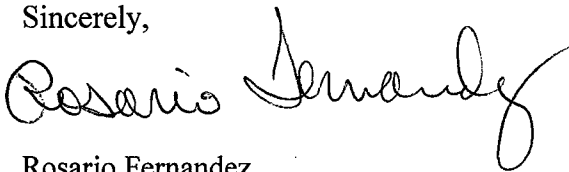
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Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m. on January 26, 2011.**

This approval is appealable to the California Coastal Commission. Any aggrieved person who has exhausted local appeals may appeal this decision to the California Coastal Commission within 10 working days following the Coastal Commission's receipt of the County's final decision. Please contact the Coastal Commission's North Central Coast District Office at (415) 904-5260 for further information concerning the Commission's appeal process. The County and Coastal Commission appeal periods are sequential, not concurrent, and together total approximately one month. A project is considered approved when these appeal periods have expired and no appeals have been filed.

If you have questions regarding this matter, please contact Melissa Ross, Project Planner, at 650/599-1559.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rosario Fernandez".

Rosario Fernandez  
Planning Commission Secretary

cc: Lucy Hupp Williams  
Susy Castoria  
Mike Ferreira  
Sabrina Brennan  
Alan Harris  
Lennie Roberts  
Kathryn Slater-Carter

Enclosure: San Mateo County Survey - An online version of our Customer Survey is also available at: <http://www.co.sanmateo.ca.us/planning/survey>

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Attachment A

County of San Mateo  
Planning and Building Department

**FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2010-00093

Hearing Date: January 12, 2011

Prepared By: Melissa Ross, Project Planner

Adopted By: Planning Commission

**FINDINGS**

**Regarding the Environmental Review, Found:**

1. That the Mitigated Negative Declaration is complete, correct and adequate for this project, and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines.
2. That, on the basis of the Initial Study and comments hereto, there is no evidence that the project, subject to the mitigation measures contained in the Mitigated Negative Declaration, will have a significant effect on the environment.
3. That the Mitigated Negative Declaration reflects the independent judgment of San Mateo County.
4. That the mitigation measures identified in the Mitigated Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated in to the Mitigation and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

**Regarding the Coastal Development Permit, Found:**

5. That the project, as described in the application and accompanying materials required by Section 6328.7 of the San Mateo County Zoning Regulations and as conditioned in accordance with Section 6328.14 of the San Mateo County Zoning Regulations, conforms

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with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program as discussed in the staff report.

6. Where the project is located between the nearest public road and the sea, that the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code).
7. That the project conforms to the specific findings required by policies of the San Mateo County LCP. As discussed in the staff report under Section A.2, the applicant has agreed to implement the mitigation measures identified in the biological report in order to minimize any potential impact to biological resources to a less than significant impact.

## **CONDITIONS OF APPROVAL**

### **Current Planning Section**

1. This approval applies only to the proposal, documents and plans described in this report and submitted to and approved by the Planning Commission at its January 12, 2011 meeting. Minor revisions or modifications to this project may be made subject to the review and approval of the Community Development Director.
2. Prior to the beginning of grading and construction activities, the applicant shall submit to the Planning Department for review and approval, an erosion and drainage control plan which shows how the transport and discharge of soil and pollutants from the project site will be minimized. The goal is to prevent sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:
  - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
  - b. Removing spoils promptly, and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
  - c. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to a local storm drain system or water body.

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- d. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.

The approved erosion and drainage control plan shall be implemented prior to the beginning of grading activities.

3. This permit shall be valid for one year in which time, the applicant shall commence construction. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable permit extension fees.
4. Bats. If construction will occur during the bats maternity roosting season (defined as: April 1 through August 31), then the applicant shall perform pre-construction surveys for bats. Surveys shall be conducted by a qualified biologist no less than 14 days prior to removal of trees, snags or buildings within the Study Area. Ultrasonic acoustic surveys and/or other site appropriate survey methods shall be performed to determine the presence or absence of bats utilizing the Study Area as roosting or foraging habitat. If special status bat species are detected during surveys, appropriate species and roost specific mitigation measures shall be developed. Such measures may include postponing removal of trees, snags or structures until the end of the maternity roosting season or construction of species appropriate roosting habitat within, or adjacent to the Study Area.

Trees, snags and buildings may be removed outside of the maternity roosting season without performing pre-construction bat surveys. However, if buildings are to be demolished, internal entrance surveys shall be performed by a qualified bat biologist no less than 14 days prior to demolition to determine if buildings currently or previously support roosting bats. If bats are determined to be present, appropriate methods shall be used to exclude bats from the building. Such methods may include installation of one way "valves" to allow bats to exit, but not allow them to re-enter the building. Species and roost appropriate mitigation measures shall be developed based on the results of the survey in consultation with the California Department of Fish and Game (CDFG).

- \*5. Dusky-footed woodrat. If stick houses are observed, they shall be avoided if possible. If any stick house must be destroyed, observance and live trapping should be done by a qualified biologist to determine if it is occupied, and if so whether by a male or female. If by a lactating female, the nest should be left undisturbed for one month until the young are mature enough to be relocated.

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6. Pacific harbor seal. The Pacific harbor seal is known to haul out offshore of the Study Area. Construction activities in the Study Area may have the potential to impact this species through acoustic or visual disturbance.

Visual and acoustic disturbance during construction may affect the behavior of the Pacific harbor seal. Construction noise levels shall be kept lower than 160 decibels - the limit recommended by the National Marine Fisheries Service (NMFS) for the protection of marine mammals. The applicant shall coordinate with NMFS for the issuance of a marine mammal Incidental Harassment Authorization Permit or Letter of Concurrence for potential disturbances to the seals, if NMFS determines that one is necessary.

7. Birds. Nesting birds, including a number of special status birds, may be impacted if construction activities occur in or near potential breeding habitat (aquatic and upland vegetation) during the breeding season from February through August.

If possible, the clearing of vegetation and the initiation of construction shall be done in the non-breeding season between September and January. If these activities cannot be done in the non-breeding season, a qualified biologist shall perform pre-construction breeding bird surveys within 14 days of the onset of construction or clearing of vegetation. If nesting birds are discovered in the vicinity of planned construction, a buffer area around the nest will be established until the nest is vacated. The size of the buffer would be dependent on the habitat, level of disturbance and the particular species of nesting bird. Tree removal shall be prohibited during the nesting season and trees shall not be felled into sensitive areas in the archaeological area, the creek and its riparian area.

8. California red-legged frog and San Francisco garter snake. Upland dispersal, foraging and estivation habitat for California red-legged frog (CRLF) and San Francisco garter snake (SFGS) may be impacted by the proposed project.
  - a. Prior to the start of groundbreaking activities, all construction personnel will receive training on listed species and their habitats by a USFWS-approved biologist. The importance of these species and their habitat will be described to all employees as well as the minimization and avoidance measures that are to be implemented as part of the project. An educational brochure containing color photographs of all listed species in the work area(s) will be distributed to all employees working within the project site(s). The original list of employees who attend the training sessions will be maintained by the applicant and be made available for review by the USFWS upon request.



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- b. Wildlife exclusion fencing will be erected and maintained around the perimeter of the project and project staging areas to prevent SFGS and CRLF from entering the site. Installation of the fence will be performed under the supervision of a USFWS-approved biologist. Once the fencing is installed, workers will clear all vegetation within this area with belt driven weed whackers or other hand tools to a height of 4-6 inches. Following the removal of vegetation, pre-construction surveys will be performed prior to the start of any groundbreaking activities by a USFWS-approved biologist. Fencing will be equipped with one-way escape funnels. Fencing will extend a minimum of 36 inches above ground level and will be buried 4-6 inches into the ground. Exclusion fencing will be checked a minimum of one time per week by biological monitors for the duration of the project to identify problems or weaknesses in fence integrity and function. All compromised portions will be repaired and/or replaced immediately. Upon completion of the project, all fencing material will be removed from the site and disposed of properly.
- c. A USFWS-approved biologist shall be present at the work site until such time as all removal of CRLF and/or SFGS, instruction of workers, and habitat disturbance have been completed. After this time, the contractor or permittee shall designate a person to monitor on-site compliance with all minimization measures. The USFWS-approved biologist shall ensure that this individual (on-site biological monitor) receives training outlined (above) under Section (a) and in the identification of CRLF and SFGS. The on-site biological monitor and the USFWS-approved biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the Corps and USFWS during review of the proposed action. If work is stopped, the Corps and USFWS shall be notified immediately by the USFWS-approved biologist or on-site biological monitor.
- d. The on-site biological monitor(s) will remain on-site for the duration of the proposed project, including vegetation removal, grading and cleanup activities. If a CRLF or SFGS is observed at any time, the on-site biological monitor will have the authority to halt work on the project site until these animals are no longer within the work area. If construction activities are occurring at more than one location at a time, each area must have a minimum of one on-site biological monitor present to increase the likelihood that listed species are detected.
- e. Tightly woven fiber netting or similar material shall be used for erosion control or other purposes at the project to ensure that the CRLF and SFGS do not get trapped.

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This limitation will be communicated to the contractor. Plastic mono-filament netting (erosion control matting), rolled erosion control products or similar material shall not be used at the project site because red-legged frog, garter snake, and other species may become entangled or trapped in it.

- f. Because CRLF and SFGS may take refuge in cavity-like and den-like structures such as pipes and may enter stored pipes and become trapped, all construction pipes, culverts, or similar structures that are stored at a construction site for one or more overnight periods will be either securely capped prior to storage or thoroughly inspected by the on-site biologist and/or the construction foreman/manager for these animals before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a red-legged frog is discovered inside a pipe by the on-site biologist or anyone else, the on-site biologist shall move the animal to a safe nearby location and monitor it until it is determined that it is not imperiled by predators or other dangers. If a SFGS is found, it should be allowed to passively leave the work area on its own, as determined by the on-site biologist, or moved by a SFGS permitted biologist with permission from USFWS and CDFG.
- g. To prevent inadvertent entrapment of CRLF and SFGS during construction, the on-site biologist and/or construction foreman/manager shall ensure that all excavated, steep-walled holes or trenches, more than 1-foot deep, are completely covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks and inspected by the on-site biologist. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals by the on-site biologist and/or construction foreman/manager. If at any time a trapped CRLF or SFGS is discovered by the on-site biologist or anyone else, it should be allowed to passively leave the work area on its own, as determined by the on-site biologist, or moved by a SFGS permitted biologist with permission from USFWS and CDFG.

9. California Red-Legged Frog Specific Conditions

- a. Pre-construction surveys for the CRLF will be performed by USFWS-approved biologists throughout the action area immediately prior to groundbreaking activities. If a CRLF is observed, a USFWS-approved biologist will remove these individuals to locations outside of the work area but within the greater property boundary. Red-legged frogs will not be removed from the vicinity or remain in captivity over night unless in the care of a certified wildlife veterinarian.

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- b. Under no circumstances will mosquito fish (*Gambusia affinis*) be introduced at any location within the Study Area. If pesticide application for mosquito abatement becomes necessary, the applicant will contact the USFWS and the San Mateo Mosquito Abatement District for further guidance.
- c. Upon completion of the construction and rehabilitation phases of the proposed project, the applicant will monitor the property regularly and according to a USFWS-approved monitoring plan to ensure the successful establishment of native plants in all restored areas. Any plant species observed in these areas determined to be invasive will be removed.
- d. Because dusk and dawn are often the times when CRLF are most actively foraging and dispersing, all construction activities should cease one-half hour before sunset and should not begin prior to one-half hour before sunrise.

10. San Francisco Garter Snake Specific Conditions

- a. Pre-construction surveys for the SFGS will be performed by USFWS-approved biologists throughout the action area immediately prior to groundbreaking activities. If at any time during the survey, vegetation removal, or construction phases of the proposed project a SFGS is observed within the action area, the animal will be allowed to passively leave the work area unless in circumstances where the animal is determined to be trapped as discussed above.
  - b. All vegetation removed during trail construction activities will remain on-site upon completion of trail development. A portion of this vegetation will be utilized to facilitate the rehabilitation of the existing unofficial trails. The remainder of the removed vegetation will be bundled into small piles and placed near on-site aquatic areas to provide cover for local SFGS.
- \*11. The applicant shall restore the area of the removed bridge and old trail alignment through decompaction or scarifying of the compacted trail area, placement of soil over decompacted areas where appropriate, and revegetation which incorporates species native to the area, including willows adjacent to the stream. The restored area shall be maintained and monitored to ensure success over a 5-year period.
12. All best management practices prescribed by the San Mateo County Planning Department

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for work within sensitive habitat areas will be implemented to the full extent.

13. Designated construction staging areas will be utilized as the staging areas for the trail and bridge construction activities. All vehicles associated with project activities will be clustered within these areas at the end of each workday or when not in use to minimize habitat disturbance and water quality degradation. Before vehicles move from the staging areas at the start of each workday or before they return to this location at the end of each workday, the on-site biological monitor will check under the vehicles and their tires to ensure no listed species are utilizing the equipment as temporary shelter.
14. No lighting will be incorporated at any location into the project design.
15. To discourage recreational users from leaving designated trails, interpretive signs describing the sensitivity of the habitat and how to utilize the property in an ecologically sensitive manner will be placed at trailheads and wetlands adjacent to enhanced trails. If rehabilitated trails show continued signs of usage, the applicant will implement additional preventative measures, such as the installation of additional signage or fencing. Trailhead signs will also describe the importance of prohibitions on unrestrained domestic pets and the associated fines for violating these laws.
16. No trash shall be deposited on the site during construction activities. All trash shall be placed in trash receptacles with secure lids or stored in vehicles.
17. Fueling and maintenance of equipment will be conducted off-site and at least 50 feet from any wetland.
18. Permanent and temporary disturbances and other types of project-related disturbance to the habitats of the garter snake shall be minimized to the maximum extent practicable. To minimize temporary disturbances, all project-related vehicle traffic shall be restricted to established roads, construction areas, and other designated areas. These areas should be established in locations disturbed by previous activities to prevent further adverse effects.
19. The applicant shall compensate for impacts to California wild strawberry by replacing ice plant with native strawberry at a 1:1 ratio of planted strawberry habitat to impacted area. California wild strawberry will be planted in areas currently dominated by ice plant that are adjacent to those locations where impacts to existing strawberry are proposed. If no ice plant is found within the areas of the trail improvements, replanting of wild strawberry in a 1:1 ratio shall occur in a suitable location as close as possible to the area of the removed

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wild strawberry. Temporary impacted areas of California strawberry as a result of project activities will be replanted and returned to pre-construction conditions. California wild strawberry planting activities will take place concurrently with trail improvements. To ensure optimal survival and establishment, plantings will be installed in the fall before the onset of the rainy season. This compensation shall be documented through the submittal of a mitigation planting plan, which shall include final success criteria, implementation measures, maintenance and monitoring plan.

20. The applicant shall implement the following dust control measures during grading and construction activities:
  - a. Water all active construction and grading areas at least twice daily.
  - b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
  - c. Pave, apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at the project site.
  - d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
  - e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- \*21. Noise levels produced by proposed construction activities shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday. Construction operations shall be prohibited on Saturday and Sunday and any national holiday.
22. The proposed pedestrian bridge shall be supported by a concrete abutment that will be constructed at or above existing grade on the south bank of San Vicente Creek. The abutment shall be supported by three 3-inch diameter metal pilings, which shall be installed to a depth (> 37 feet) that will contact bedrock.
  - a. Pilings shall be installed using a small vibratory hammer mounted on small rubber tired or tracked Bobcat or equivalent equipment.

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- b. Heavy equipment shall be rubber tired or rubber tracked and of the smallest size necessary to complete any earthwork.
  - c. Pilings shall be placed within the smallest area possible subject to ground disturbance near the creek edge.
  - d. Any area, within the archaeological site or immediately adjacent to the recorded site boundary, subject to disturbance by workers or equipment, shall be protected by installing straw layer/wood mats on the surface prior to work. The straw layer/wood mats shall be placed by hand and removed by hand to avoid surface disturbance.
23. A segment of the California Coastal Trail is present within the archaeological resource. The segment shall be installed above the existing grade in order to minimize disturbances to the ground surface.
- a. Engineered fill shall be placed over the ground surface in the locations of the trail in order to protect the archaeological site. The fill shall have a minimum depth of 12 inches and may increase in thickness to approximately 24 inches at the south bridge abutment.
  - b. A permeable geo-textile fabric will be installed on top of the undisturbed ground surface and underneath the engineered fill to mark the location of the undisturbed ground surface. Standard installation methods for the trail within the archaeological site shall:
  - c. Omit compaction of sub-grade;
  - d. Place fill soils for the protective cap in 4-inch lifts; and,
  - e. Compact with static smooth drum roller instead of vibratory compaction.
  - f. Any area, within the archaeological site or immediately adjacent to the recorded site boundary, subject to disturbance by workers or equipment, shall be protected by installing straw layer/wood mats on the surface prior to work. The straw layer/wood mats shall be placed by hand and removed by hand to avoid surface disturbance.
  - g. Heavy equipment shall be rubber tired or rubber tracked and of the smallest size necessary to complete any earthwork.

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- h. Hand construction of the trail within the archaeological site boundary shall be utilized wherever practical to minimize mechanical damage.
  - i. Fill material shall be brought to the project area via the existing unimproved trail that is accessed from Cypress Avenue. No improvements shall be made to the trail.
  - j. Heavy equipment and temporary fill stockpiles shall be prohibited within or adjacent to the recorded archaeological site boundary. The "no-go" zones along trail alignment within site boundary shall be marked during construction. Install barrier fencing to confine equipment and construction traffic to trail within site boundary.
  - k. Temporary fill stockpiles may be placed along the existing trail if they are more than 25 feet from the recorded site boundary.
  - l. Fill shall be transferred from stockpile areas to areas within the archaeological site by hand whenever possible or using equipment if the pressure applied by the combined weight of the equipment and fill shall not cause compaction of the ground surface within the site (Note: applied pressure shall not exceed 15 pounds per square inch). Only rubber tire or rubber track equipment shall be used. All ground disturbing construction or construction with the potential for native soil ground disturbance within or within 50 feet of the recorded site boundary of CA-SMA-133 shall be monitored by a professional archaeologist meeting the Secretary of the Interior's standards.
  - m. Archaeological monitor shall have the authority to temporarily halt any ground disturbing construction to identify and evaluate any archaeological materials inadvertently exposed during construction. The exposure of significant resources could result in the development of a treatment program including scientific removal, analysis and reporting. The exposure of any Native American burials shall be handled in accordance with state law.
24. The applicant shall submit colors for the E.T. Techtonics fiberglass bridge for review and approval by the Current Planning Section prior to installation. Color(s) shall blend with the surrounding vegetation (e.g. grey-green). Any color or materials, additions, or modifications of the approved color are subject to review and approval by the Community Development Director prior to installation.

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25. The applicant shall install a GravelPave<sup>2</sup> system for the trail improvements. Colors shall blend with the surrounding environment (e.g. tan or grey). Colors shall be reviewed for approval by the Current Planning Section. Any color or materials, additions, or modifications are subject to review and approval by the Community Development Director prior to installation.
26. No additional trees beyond those notated in this staff report shall be removed. Removal of any tree with a diameter equal to or greater than 12 inches as measures 4.5 feet above the ground shall require a separate tree removal permit. For each tree removed, the applicant shall replant in a 2:1 ratio with native trees.
- \*27. The disturbance or removal of native vegetation shall not exceed the minimum necessary to construct the trail. In particular, the applicant shall minimize disturbance to the area of the Western sword fern and rushes to the maximum extent possible. Any Western sword fern or rushes that must be removed by trail construction shall be carefully removed, save, and replanted as part of the revegetation of this area.
- \*28. The applicant shall remove cape ivy in advance of any disturbance or removal of soil and spot treat resprouts with an herbicide. Cape ivy roots or root segments shall be removed from any soil being moved during construction.
29. The applicant shall minimize ground disturbance and only install unimproved shoulders where the current trail width is less than 8 feet and only where necessary for structural support of the new trail system. Unimproved shoulders shall not be installed where the topography immediately adjacent to the new trail is flat (e.g. Cypress Avenue Trailhead).




**County of San Mateo**
**Planning & Building Department**

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 Redwood City, California 94063  
 650/363-4161 Fax: 650/363-4849

Mail Drop PLN122

plngbldg@co.sanmateo.ca.us

www.co.sanmateo.ca.us/planning

**Notice of Determination**

Project Title: TRAIL REHABILITATION  Case Number: PLN2010-00093  State Clearinghouse Number: 2010072006  Lead Agency Contact Person: MELISSA ROSS  Area Code / Telephone: 650 - 363 - 4161  Project Location: FITZGERALD MARINE RESERVE	For Clerk Use Only  <div style="text-align: center;"> <i>Dee de la Vega</i>  <b>FILED</b> ENDORSED  <small>IN THE OFFICE OF THE          COUNTY CLERK RECORDER OF          SAN MATEO COUNTY, CALIF</small>   <b>JAN 27 2011</b>           By <u>MARK CHURCH</u> County Clerk  <b>COUNTY CLERK</b>          DEPUTY CLERK       </div>
---	--

**Subject: Filing Of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

**Project Description:** Certification only of the portion of the Mitigated Negative Declaration that relates to the Trail Rehabilitation (MMRP on file with the San Mateo County Planning and Building Department). CDP to improve a coastal trail (including ADA) access and bridge within the Fitzgerald Marine Reserve. The project is appealable to the CA Coastal Commission. (CDP97-0063 has been incorporated into this case - bridge relocation.)

This is to advise that the County of San Mateo (Lead Agency) has approved the above described project and has made the following determinations regarding the above described project:

1. The project ( ) will (☒) will not have a significant effect on the environment.
2. ( ) An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 (☒) A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures  
 (☒) Were made a condition of approval of this project.  
 ( ) Were not made a condition of the approval of this project.
4. A statement of Overriding Considerations  
 ( ) Was adopted for this project.  
 (☒) Was not adopted for this project.
5. Findings  
 (☒) Were made pursuant to the provisions of CEQA.  
 ( ) Were not made pursuant to the provisions of CEQA.

This is to certify that the Final EIR/Negative Declaration with comments and responses and record of project approval is available to the general public at:

Planning and Building Department  
 455 County Center  
 2nd Floor  
 Redwood City, CA 94063

Signature: [Signature] Date: 1/27/11 Title: PLANNER II

Date received for filing at OPR: \_\_\_\_\_